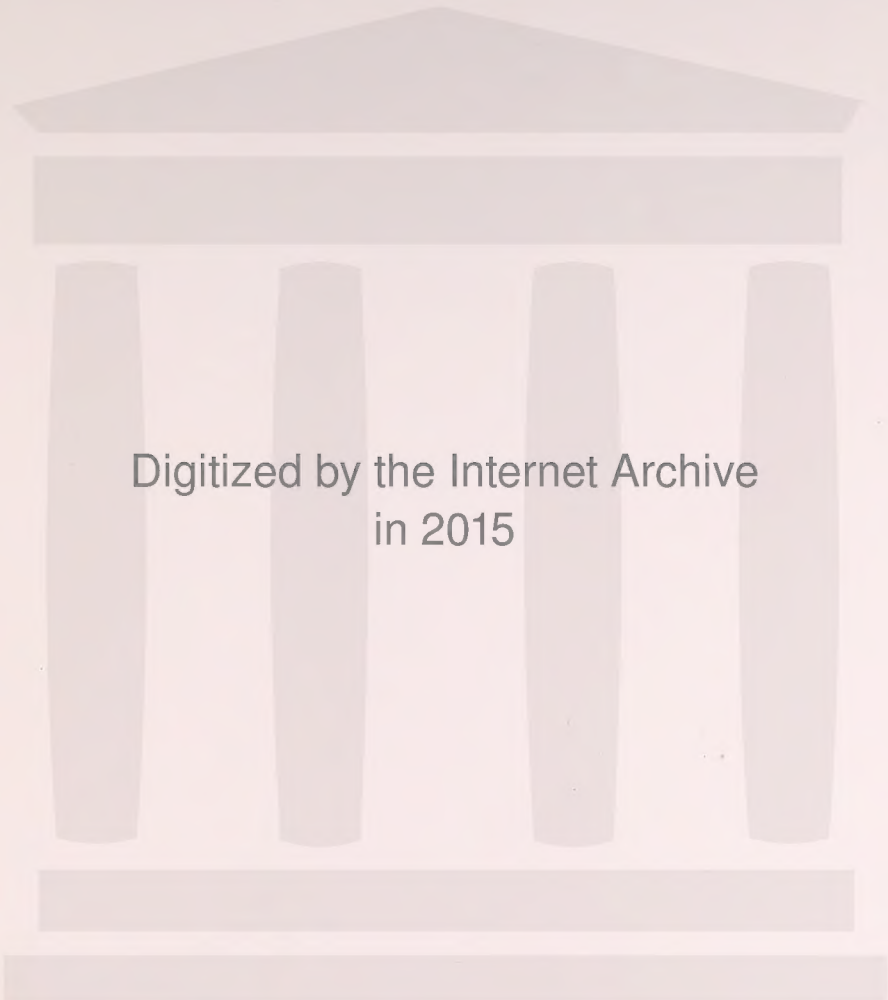
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HEREIN INCORPORATED

AGREEMENTS

WATER POLLUTION CONTROL TREATMENT Agreement between CITY of FORT WAYNE & SEWAGE UTILITIES. ---------- 4

Amended Agreement between BOARD of WORKS & the REDEVELOPMENT COMMISSION whereas, the BOARD has deemed it necessary to construct sidewalks, curbs, street lighting, storm drainage, widening & resurfacing of MAIN STREET from CALHOUN to MAIDEN LANE. ---------- 6

Agreement between CITY of FORT WAYNE & REID, QUEBE, ALLISON, WILCOX & ASSOCIATES INC. for COMBINED SEWER OVERFLOW FACILITY. ---------- 17

Agreement between BOARD of WORKS & the FORT WAYNE REDEVELOPMENT COMMISSION for development of the CIVIC CENTER PARKING GARAGE. ---------- 20

Agreement between CITY of FORT WAYNE & the FORT WAYNE REDEVELOPMENT COMMISSION for development of the CIVIC CENTER PARKING GARAGE. ---------- 21

Received Utility Agreements for NORTHERN INDIANA PUBLIC SERVICE COMPANY concerning Utilities use of Public Rights-of-Way in connection with Projects RRP-F104, RRP-F248, & RRP-F776. (NORFOLK & WESTERN RAILROAD CROSSINGS-BROOKLYN, NUTTMAN, & VAN BUREN)---------- 30

Received Utility Agreements for GENERAL TELEPHONE COMPANY of INDIANA, INC., FORT WAYNE WATER UTILITY, FORT WAYNE WATER POLLUTION CONTROL UTILITY, FORT WAYNE ELECTRICAL ENGINEERING DEPARTMENT, & INDIANA & MICHIGAN ELECTRIC COMPANY concerning Utilities use of Public Rights-of-Way in connection with Projects RRP-F104, RRP-F248, & RRP-F776 (NORFOLK & WESTERN RAILROAD CROSSINGS-BROOKLYN, NUTTMAN & VAN BUREN) ---------- 43

Agreement between BOARD of WORKS & REDEVELOPMENT COMMISSION. The BOARD has deemed it necessary to construct sidewalks, curbs, street lighting, storm drainage, widening & resurfacing of MAIN STREET from CALHOUN to MAIDEN LANE. ---- 45

Retention Pond Maintenance Agreement between CITY of FORT WAYNE & EDWARD ROSE whereas, EDWARD ROSE is proposing the construction of a garden apartment complex. ---------- 52

Agreement between CITY of FORT WAYNE & CONSOLIDATED RAIL CORPORATION covering drainage ditch longitudinal at V.S. 290+00+, south to V.S. 272+75+ between 2.01 & 1.69 north of the station of FORT WAYNE. ---------- 56

Agreement between CITY of FORT WAYNE & GENE KELLER & SONS, INC. Whereas, EDWARD E. KELLER & BARBARA J. KELLER have platted the following described tract into 46 lots - TAMERA PLACE ADDITION. ---------- 57

Agreement between CITY of FORT WAYNE & THE STATE HIGHWAY COMMISSION. The following Projects have been approved by the FEDERAL HIGHWAY ADMINISTRATION for Federal Aid Funding. Projects #MG-F024 (2) Item 90473, MG-F016 (3) Item 90471, MG-F016 (4) Item 90472 providing for the NORTH & WESTERN RAILROAD CROSSING at the 2 ANTHONY BLVD. CROSSINGS & ARDMORE BLVD. ---------- 61

Agreement between CITY of FORT WAYNE & DEPARTMENT of COMMUNITY DEVELOPMENT & PLANNING & the WEST CENTRAL NEIGHBORHOOD COMMITTEE INC. for financing & construction of a NEIGHBORHOOD CENTER. ---------- 63

Amendment #2 to Contract for Engineering Services between CITY of FORT WAYNE & McNAMEE, PORTER, & SEELEY dated December 7, 1970. ---------- 70

Received Agreement between CITY of FORT WAYNE & FAIRINGTON APARTMENTS of FORT WAYNE concerning maintenance of storm drainage facilities. ---------- 81

Amendment to Agreement for ST. MARY'S INTERCEPTOR, RESOLUTION 214, SEWER EXTENSION. ---------- 83

Agreement for Engineering Services for SUPPLEMENTAL AGREEMENT #1 for the ADDITIONS & IMPROVEMENTS to the WASTEWATER FACILITIES. ---------- 86

Received Acceptance Agreement from CITIZENS CABLE of ALLEN COUNTY, INC. of all terms & conditions of non-exclusive franchise for Cable Commissions System as provided in Ordinances G-27-77 & G-03-09. ---------- 87

Received executed Agreement between CITY of FORT WAYNE & CONSOLIDATED RAIL CORPORATION for grade crossing & protective devices for FERNHILL AVE. EXT. ------ 88

HEREIN INCORPORATED

AGREEMENTS - Continued

Received Agreement dated Jan. 10, 1979 between CITY of FORT WAYNE & The STATE Of INDIANA concerning cooperation in the preliminary Engineering Phase of work on ARDMORE-HILLEGAS CORRIDOR Project M-F024 (1). ---------- 97

ANNUAL SEWER RATE REVIEW

ANNUAL SEWER RATE REVIEW FORT WAYNE MUNICIPAL CODE CHAPTER 24, SECTION 706 as per BERNARD T. PERRY. ---------- 28

CABLE TELEVISION

CITIZENS CABLE of ALLEN COUNTY - service to CANTERBURY & SHOAFF PARK RIVER ESTATES. ---------- 91

Received copy of the "ACKNOWLEDGEMENT RECEIPT" & the "REGRISTRATION STATEMENT" from the FEDERAL COMMUNICATIONS COMMISSION for CITIZENS CABLE. ------ 46

DEEDS, DEDICATIONS, EASEMENTS, & GRANTS

BLUE JAY ASSOCIATES gives & grants to CITY of FORT WAYNE a right-of-way & easement to construct a sewer tap line in SECTION 33, TOWNSHIP 30 NORTH, RANGE 12 EAST. ---------- 10

CITY of FORT WAYNE releases & quit claims to GEORGE & GENEVA COPLEN land in the NORTHWEST QUARTER of the SOUTHEAST QUARTER of SECTION 11, TOWNSHIP 32 NORTH, RANGE 13 EAST. ---------- 34

C. GORDON DIVER grants & quit claims to CITY of FORT WAYNE Real Estate property in the area of CLINTON & FOURTH STREETS. (THIRD STREET PUMPING STATION) ---------- 38

Partial release of Mortgage between PEOPLE'S TRUST BANK & EDNA M. PENNYCOFF- BLUFFTON ROAD & TRAIL ROAD area. ---------- 53

Partial release of Mortgage between STATE of INDIANA, COUNTY of ALLEN, & CITY of FORT WAYNE, & EDNA M. PENNYCOFF & PEOPLE'S TRUST BANK - BLUFFTON ROAD & TRAIL ROAD area. ---------- 54

CHARLES H. & CORA M. McINTOSH grant & convey Real Estate in GERKE'S TRIER ROAD ADDITION, SECTION I. ---------- 55

Partial Release of Easement whereby, CHARLES N. HALL granted to the CITY of FORT WAYNE certain property in EAST 1/2 of SOUTHEAST 1/4 of SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST (NORTH of WASHINGTON CENTER ROAD & WEST OF COLD-WATER ROAD) in exchange for a 14 foot sewer easement across said property. ----- 62

Perpetual Easement - Agreement by & between the CITY of FORT WAYNE & INDIANA FRANKLIN REALTY, INC. Whereas, CITY & PEOPLE'S TRUST BANK are causing a multi-storied office building to be known as ONE SUMMIT SQUARE. ---------- 74

CITY of FORT WAYNE convey & warrant to JAMES H. BOWMAN Real Estate in LASSELLE'S ADDITION. ---------- 98

CITY of FORT WAYNE releases & quit claims to PHILLIP H.LOVE Real Estate in ELIZA-HANNA STREET ADDITION. ---------- 99

Warranty Deed whereby CITY of FORT WAYNE releases & quit claims to PHILLIP H. LOVE Real Estate in ELIZA-HANNA STREET ADDITION. ---------- 100

CITY of FORT WAYNE releases & quit claims to THEODORE & DOROTHY HAGERMAN, SAM W. & CHARLOTTE D. FLETCHER, FLOYD B. & OLENE C. KELSEY, WILLIAM O. & JOAN HAGERMEN the following Real Estate. SOUTH of the NORTH line of SECTION 5, TOWNSHIP 30 NORTH, RANGE 13 EAST. ---------- 101

Grant of Easement whereby THEODORE F. & DOROTHY HAGERMAN, SAM W. & CHARLOTTE D. FLETCHER, FLOYD B. & OLENE C. KELSEY JR., WILLIAM O. & JOAN H. HAGERMAN quit claim & convey Real Estate. SOUTH of the NORTH line of SECTION 5, TOWNSHIP 30 NORTH, RANGE 13 EAST. ---------- 103

HEREIN INCORPORATED

MISCELLANEOUS

NUNC PRO TUNC-1972

Resolution from INDIANA STATE HIGHWAY COMMISSION dated Jan 27, 1972 whereby it abandons certain portions of right-of-way adjacent to I-69. ---------- 5

Resolution for construction of the off-street parking facilities - CIVIC CENTER PARKING GARAGE. (WASHINGTON, CLINTON, JEFFERSON, & CALHOUN) ---------- 7

Resolution for construction of the off-street parking facilities - CIVIC CENTER PARKING GARAGE. (WASHINGTON, CLINTON, JEFFERSON, & CALHOUN) ---------- 23

1980 CAPITAL IMPROVEMENT PROGRAM - SOURCE of FUNDS. ---------- 35

Special committee to review proposals submitted by consulting engineers for the COMBINED SEWER OVERFLOW PROJECTS. ---------- 66

EMERGENCY RESOLUTION NUMBERS

67-228-23 --- Portions of the exterior of the CITY PARKING GARAGE have fallen to the sidewalk & are dangerous. PREPAKT CONCRETS, INC. to make said repair & not to exceed $30,000.00. ---------- 9

67-226-10 --- McKINNIE-CONNETT-EDWARDS Sanitary Sewer. (Sewer Resolution 876-78) ---------- 11

67-181-19 --- OLD FORT WAYNE VISITORS CENTER & CHANNEL IMPROVEMENT on ST. MARY'S RIVER. ---------- 26

67-170-28 --- Sewer collapsed behind 325 FIELD STREET & an emergency exists. T & G EXCAVATING to make said repair in the amount of $4,660.00. ---------- 29

67-150-31 --- An emergency sewer repair at the rear of 1521 CRESCENT AVENUE. CITY UTILITIES GENERAL SUPERINTENDENT EDMUND STANCZAK will issue Purchase Order to make said repair. ---------- 42

67-133-25 --- Pursuant to WPC General Rules & Regulations adopted by the BOARD of WORKS on 12/12/72, revised on 7/28/75 & 7/11/77 numbering Articles 1 through 11. The BOARD of WORKS now deems it advisable to add a new ARTICLE 12, "ENFORCEMENT". ---------- 48

67-103-18 --- A water main break occured on LOWER HUNTINGTON ROAD at NORFOLK & WESTERN RAILROAD. T & G EXCAVATING to make said repair in the amount of $7,978.00. ---------- 60

67-92-16 ---- Sewer collapsed in an alley between the 1600 blocks of HIGH & SINCLAIR STREETS. L.W. DAILEY, INC. to make said repair. ------- 67

67-88-6 ----- CITY of FORT WAYNE wishes to construct FERNHILL AVENUE EXTENDED between WELLS STREET, & NORTHRUP AVENUE. Whereas, said improvement will require CITY to obtain license from CONSOLIDATED RAIL CORPORATION. ---------- 69

67-78-14 ---- The STREET ENGINEERING DEPARTMENT has informed the BOARD of WORKS that the streets of FORT WAYNE are in need of immediate filling of pot-hols & the BOARD of WORKS will take bids from the 5 asphalt contractors. ---------- 77

67-67-15 ---- The ST. MARY'S, ST. JOSEPH, & MAUMEE RIVERS have risen to dangerous heights. Whereas, there exists an emergency need for additional sand-bags to protect & safeguard certain areas of the community. ---------- 80

67-57-25 ---- Whereas, the CITY of FORT WAYNE desires to comply with the "POLICY for INCREASED USE of MINORITY CONSULTANTS."---------- 82

67-54-16 ---- Whereas, the BOARD of WORKS adopted sewer resolution 294-77. It was found that all abutting property owners shall be assessed to reimburse the Sewer Utility Fund for all those monies involved for said resolution. ---------- 84

67-54-15 ---- Whereas, the BOARD of WORKS has adopted a YEAR 2000 CAPITAL IMPROVEMENT STREET PROGRAM. Whereas, CITY of FORT WAYNE wishes to construct FERNHILL AVENUE EXTENDED. ---------- 85

HEREIN INCORPORATED

IMPROVEMENT RESOLUTIONS

5847-79 -- LILLIE, WINTER, OLIVER, & QUEEN STREETS. ---------- 12
5846-79 -- McKINNIE AVE., HANNA ST., & ANTHONY BLVD. ---------- 13
5845-79 -- ARLINGTON AVE., HARRISON ST., INDIANA AVE.,McKINNIE AVE., & HOAGLAND AVE. ---------- 14
5844-79 -- ENOLA CT., OPECHEE WAY, JULIETTE AVE,. HIGH ST., EDENTON DR., CRESTON LN., & DRESDEN LN. ---------- 16
5843-79 -- POINSETTE DR., W. STATE BLVD.,COLWYN LN.,MARSTON DR., ANDREW ST., CHEROKEE RD., RIDGEWOOD DR., & RED HAW DR. ---------- 18
5842-79 -- EDGEHILL AVE., WESTBROOK DR., & JACOBS AVE. (BROOKVIEW ADD.)---- 19
5841-79 -- MASTERSON AVE., SUTTENFIELD ST., LUMBARD ST., LILLIE ST., & PONTIAC ST. ---------- 22
5840-79 -- BOLTON DR., VANCE AVE., BOSWORTH DR., KENWOOD AVE., GLENWOOD AVE., ALABAMA AVE., FOREST VALLEY DR., FOREST DOWNS DR., & LAKE FOREST DR. ---------- 25
5838-79 -- OSAGE ST., BOONE ST., & BURGESS ST. ---------- 36
5837-79 -- MECHANIC ST. FOOTBRIDGE, MECHANIC ST., & SWINNEY PK. ---------- 40
5836-79 -- CITY COUNTY PARKING PLAZA.---------- 37
5835-79 -- FERNHILL AVE., WELLS ST., & NORTHROP AVE. ---------- 47
5833-79 -- MAIN ST., MAIDEN LN., CALHOUN ST. ---------- 27
5832-79 -- COLLEGE ST., JONES ST., WALL ST., & PENN CENTRAL R.R.---------- 50
5831-79 -- HOBSON RD., & LAKE AVE. ---------- 31
5830-79 -- PRODUCTION RD., & STATE RD. # 3. ---------- 41
5829-79 -- COLERICK ST., WILDWOOD AVE., LAFAYETTE ST., WARSAW ST., RUDISILL BLVD.,MONROE ST., SMITH ST. (OXFORD NEIGHBORHOOD PHASE IV) ----- 44
E. CREIGHTON AVE., WARSAW ST., HANNA ST., BUCHANAN ST., LAFAYETTE ST., E. MASTERSON ST., MONROE ST., (LAREZ NEIGHBORHOOD PHASE III) ---------- 44
5828-79 -- ELIZA ST., GAY ST., OHIO ST., (E. CENTRAL, PHASE IV) ---------- 51
SMITH ST., GREEN ST., PONTIAC ST., WINTER ST., CREIGHTON AVE., MILAN ST., OLIVER ST., HURD ST. (HANNA-CREIGHTON, PHASE III)---- 51
5827-79 -- ST. MARY'S AVE., HIGH ST., BURGESS ST., FRANKLIN ST., & DEGROFF ST. (NEBRASKA NEIGHBORHOOD, PHASE IV)---------- 49
JEFFERSON ST., GARDEN ST., VAN BUREN ST., UNION ST., WASHINGTON BLVD., NELSON ST., COLLEGE ST., ROCKHILL ST., JACKSON ST., (W. CENTRAL NEIGHBORHOOD, PHASE IV, SECTION A)---------- 49
GARDEN ST., JONES ST., JEFFERSON ST., NELSON ST., COLLEGE ST., WILT ST., SWINNEY PK. PLACE WEST, SWINNEY PK. PLACE NORTH, UNION ST., LEYKAUF ST., LAVINA ST., ROCKHILL ST., (W. CENTRAL NEIGHBORHOOD, PHASE IV, SECTION B) ---------- 49
HUFFMAN ST., SHERMAN BLVD., WELLS ST., (NORTHWEST CENTRAL NEIGHBORHOOD, PHASE III-79)---------- 49
5826-79 -- BLUFFTON RD., & OLD TRAIL RD, INTERSECTION. ---------- 68
5828-78 -- WILDWOOD AVE., COTTAGE AVE., INDIANA AVE., & S. WAYNE AVE. ----- 104
5818-78 -- ST. JOE BLVD., & LAFORT ST. (LAKESIDE PK. ADDITION) ---------- 73

SEWER EASEMENT RESOLUTIONS

168-79 --- RANCHWOOD-PHASE I SANITARY SEWER ---------- 1
167-79 --- LUDWIG RD., WASHINGTON CENTER RD., LIMA RD., (sew. res. 878-79) (permanent & temporary)---------- 58
167-79 --- SW QUARTER of SECTION 15, TOWNSHIP 31 NORTH, RANGE 12 EAST, SW QUARTER of SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, & part of SECTION 22, TOWNSHIP 31 NORTH, RANGE 12 EAST (sew. res. 878-79) (permanent & temporary) ---------- 72
165-79 --- WILKIE'S ADDITION (permanent & temporary) ---------- 92
163-78 --- TILLMAN PARK-SOUTHTOWN MALL PUMP STATION ELIMINATION SANITARY SEWER (sew. res. 305-78) (temporary & permanent) ---------- 94
162-78 --- TAYLOR ST., COVINGTON RD., ELYETTA ST., COUNTRY CLUB RD. (permanent & temporary) ---------- 89
161-78 --- KRUGE PLACE ADDITION-SAVOIE'S SUBDIVISION-LOWER HUNTINGTON RD., & ARDMORE AVE. ---------- 15

SEWER RESOLUTIONS

878-79 --- LUDWIG PARK AREA (sew. res. 167-79) ---------- 71
877-79 --- WILKIE'S ADDITION (sew. res. 165-79) ---------- 93
307-79 --- RANCHWOOD, PHASE I ---------- 2
305-78 --- TILLMAN PARK-SOUTHTOWN MALL PUMP STATION ELIMINATION SANITARY SEWER (sew res. 163-78) ---------- 95
304-78 --- COVINGTON RD., & ARDMORE RD. ---------- 90

HEREIN INCORPORATED

STREET LIGHTING RESOLUTIONS

137-79 --- HARRISON HILL AREA ---------- 32
136-79 --- NORTHWEST CENTRAL PHASE III (NEIGHBORHOOD IMPACT AREA)---- 96

WATER RESOLUTIONS

1016-79 -- SHARON DR., & LUDWIG RD. ---------- 3
1013-79 -- E. SHERWOOD TERRACE & WAYNE TRACE (FAIRFAX SECOND ADD.)--- 78

SEWER AGREEMENTS

Sewer extension for PINE VALLEY COUNTRY CLUB 12TH ADDITION ---------- 24

Sewer extension Agreement between GERALD FORD & MARJORIE A. HOLLIS & CITY of FORT WAYNE for sewer to serve POINSETTE AVE., & GOSHEN RD. AREA. ---------- 39

Sewer extension Agreement by & between WESTWOOD DEVELOPMENT & CITY of FORT WAYNE for WESTWOOD VALLEY, SECTION I. ---------- 59

Sewer extension Agreement by & between SOUTHTOWN MALL DEVELOPMENT CO. & CITY of FORT WAYNE for relocation, reconstruction, & rededication of both the existing city owned SOUTHTOWN SANITARY PUMP STATION & certain publicly dedicated sanitary sewers. ---------- 65

Sewer extension Agreement by & between SHAMBAUGH & SONS, INC. & CITY of FORT WAYNE for the construction of a sanitary sewer known as MOELLER RD. TRAILOR PARK off-site sanitary sewer. ---------- 102

WATER USAGE SERVICE CHARGE

Amendment & Additions to Article VI. Service charges based on Water Usage of Chapter 24 of FORT WAYNE MUNICIPLA CODE, SEWERS & SEWERAGE SYSTEM. ---------- 79

WATER WORKS IMPROVEMENTS

78-XP-3 -- ROTHMAN ROAD from MERI-WOOD DR. EAST - North Eastern Const. Co. ---------- 75

78-XP-3 -- ROTHMAN ROAD from MERI-WOOD DR. EAST - North Eastern Const. Co. ---------- 76

AGREEMENTS
COUNCIL
BIDS
INVITATIONAL
PETITIONS
CABLE TV
MISCELLANEOUS
DEEDS, DEDICATIONS
ENCROACHMENTS, et.

AGREEMENTS (CONTRACTS)

CITY AND

Allen County Board of Commissioners ----------"Old Fort Parking Lot"----------123-19
American National Red Cross----------Lease for Property----------157-13
Consolidated Rail Corporation--------Grade crossings at Fernhill extended----------47-10, 121-9
Edward Rose-Indiana Limited Partnership-------West Wind Apartments----------123-20
Epiphany Lutheran Church--------Maplecrest-Rothman Rd. Sewer(RES. #298-77)----------103-16
Fairington Apartments----------Maintenance of Storm Drainage Facilities----------58-7
Gerald Ford & Marjorie A. Hollis ----Pointsette Ave-Goshen Rd. Area Sanitary Sewer----------158-14
Ft. Wayne Redevelopment Commission---Repair of Main St.----------136-14
Ft. Wayne Redevelopment Commission---Civic Center Parking Garage----------199-14,200-15
Howard,Needles,Tammen, & Bergendoff-
Henry B. Steeg & Assoc. Division---Improvements to Wastewater Facilities----------54-14
ISHC-Federal-Aid Funds-----N&W Railroad Crossings at Anthony&Ardmore----------103-17
Gene Keller & Sons, Inc.----------Tamera Place Addition Sanitary Sewers----------117-11
McNamee, Porter, & Seely---------Engineering Services---Contract Dated 12-7-70
Amendment #2----------86-18
P.P.R. Company----------Wells Street Bridge Project----------34-16
Reid, Quebe, Allison, Wilcox, & Associates,Inc.
Combined Sewer Overflow Facility----------207-36
Shambaugh & Son, Inc.----------Moeller Rd. Trailer Park Offsite Sanitary Sewer----1/23/79----11-16
Southtown Mall Development Company---------Sewer Extension Agreement
Relocation & Reconstruction of Southtown Sanitary Pump Station------4/24/79------101-7
The State of Indiana----------Ardmore-Hillegas Corridor Project(M-F024(1))----------24-8
Turnbell-Green & Associates, Inc.----------Engineering Services
Railroad-Street Grade Crossing Improvements, Group I,Phase II---------13-10,14-11
West Central Neighborhood Committee, Inc.----Construction of Neighborhood Center----------102-9
Westwood Development, Inc.----------Sewer Extension to Westwood Valley, Section I----------106-7
Ft. Wayne Utilities -General Tel,& Indiana & Michigan Electric
Utilities Use of Public Right-Of-Ways----------143-11,170-24
Proofs of Publication from Beacon Heights Church of the Brethren(parking)----------252-1
Sewage Utilities fo Indiana to Pine Valley----------243-19

WAGE AGREEMEMTS

International Brotherhood of Firemen & Oilers, Local Union #28----------98-11
International Brotherhood of Teamsters, Local Union #414----------136-12
International Union of Operating Engineers #19(WPC Plants)----------180-12
International Union of Operating Engineers #19(Street Dept.)----------148-16
Office & Professional Employees' International Union, Local #325----------84-11
International Union of Operating Engineers #19 (Filtration Plant)----------250-8

AGREEMENTS TO PURCHASE REAL ESTATE

Eugene A. Bondarenko----------2106 So. Hanna St.----------7/10/79--------209-9
Arene & Feraldine Easter-------1426 Hayden St.----------2/27/79--------47-11
Jess Kidd----------513 LaSalle St.----------4/24/79--------106-9
Horace J. Lee----------1510 & 1516 Fletcher Ave.----------6/26/79-------195-17
McMahon Paper Company, Inc.----1818 So. Anthony Blvd.----------3/13/79--------54-13
Kim L. Wallace----------1155 Harmar St. & 1144 Division St.----------6/26/79-------185-22

B I D S I N V I T A T I O N A L

PURCHASE ORDERS

.03645	Drainage Relief--Fairlawn Pass & Reed Rd., L.W. Dailey	$3,800.00
.03665	Repair work on Romane Ct.(Tower Heights Add.),Carrington & Assoc.	1,528.00
.03695	Repair of brick at Barthold & Fourth Sts., Hipskind Concrete Corp.	2,198.80
	Miscellaneous Work--curbs & sidewalks, Carrington & Assoc.	3,025.20
	Miscellaneous Projects--Fairfax,Buell,& Rudisill,Carrington & Assoc.	4,440.75
	Miscellaneous Projects--E.State, Crescent,&Leroy,Hipskind Concrete	2,491.69
	Pot Hole Filling throughout the City(Spec Res.#67-78-14)	

C O U N C I L

AGREEMENTS — TO COUNCIL

Eugene A. Bondarenko and City	Purchase of 2106 So. Hanna St.	7/10/79	209-
Arene & Geraldine Easter and City	Purchase of 1426 Hayden St.	2/27/79	47-1
Jess Kidd and City	Purchase of 513 LaSalle St.	4/24/79	106-
Horace J. Lee and City	Purchase of 1510 &1516 Fletcher Ave.	6/26/79	195-1
McMahon Paper Co., Inc.and City	Purchase of 1818 So. Anthony	3/13/79	54-1
Kim L. Wallace and City	Purchase of 1155 Harmar St. & 1144 Division	6/26/79	185-2

AGREEMENTS, SEWER

Make Development Corp.	Pine Valley Coutnry Club, 12th Addition Sanitary Sewer	6/26/79	185-1
Shambaugh & Son, Inc.	Moeller Rd. Trailer Park Offsite Sanitary Sewer	1/23/79	11-1
Southtown Mall Development Company	Southtown Sanitary Pump Station	4/24/79	101-
Sewage Utilities of Indiana	Pine Valley	8/14/79	243-1

CONTRACTS (ALLEYS, SIDEWALKS, STREETS)

5796-78	Brooks Construction, "The Landing" C.O. #3	$13,790.03	1/23/79--19-
5826-79	Hipskind Asphalt Corp., Bluffton Rd.-Old Trail Rd. Intersection	$195,913.25	6/26/79--176-
5827-79	L.W.Dailey, Inc.,Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV, Sections A&B;Northwest Central, Phase III	$188,031.30	7/24/79--225-
5828-79	L.W.Dailey, Inc.,East Centeral,Phase IV; Hanna-Creighton, Phase III	$140,747.75	7/24/79--225-
5829-79	Hipskind Conbrete Corp.,Oxford Neighborhood, Phase IV; LaRez Neighborhood, Phase II	$115,227.70	7/10/79--199
5830-79	Moellering Construction Company, Production Rd.	$50,951.00	7/24/79--225-
5832-79	Hipskind Asphalt Corporation,Jones St.,College St., & Penn-Central Railroad	$53,375.00	6/26/79--188-
5834-79	Summit City Wrecking, Inc.,Demolition at 1101,1105,&1123 Wells St.	$9,289.80	6/26/79--188-
5835-79	Spears Dehner, Inc.,Fernhill Ave. from Wells St. to Northrop Ave.	$998,674.51	7/10/79--203-
5833-79	L.W. Dailey, Inc., Main St. from Maiden Ln. to Calhoun	$663,204.65	8/14/79--255-
5840-79	Brooks Construction Co., Second Councilmatic District	$143,024.00	8/14/79--255-
5841-79	Brooks Construction Co., First Councilmatic District	$193,732.50	8/14/79--255-

CONTRACTS (SEWERS)

			TO COUNCIL
302-78	Bercot, Inc., Kruge Place Addition-Savoie's Subdividion Sanitary Sewer	$193,006.00	3/13/79--58-6
304-78	Ground Services, Inc.,Covington-Ardmore Sanitary Sewer	$173,362.50	6/26/79--185-16
305-78	O'Rourke, Andrews, & Maroney, Inc.,Tillman Rd.-Southtown Mall Sanitary Sewer Lift Station Elimination	$163,852.50	4/24/79--103-14
876-78	T & G Excavating, Inc., McKinley-Connett-Edwards Sanitary Sewer	$198,979.20	3/13/79--58-5,153-13
877-79	T & G Excavating, Inc., Wilkie Addition Sanitary Sewer	$70,633.25	6/26/79--176-29
878-79	LuW.Dailey, Inc.,Ludwig Park Addition Sanitary Sewer	$323,136.90	7/10/79--199-7,199-8 203-13

CONTRACTS (STREET LIGHTING)

134-78	T & F Construction Company, Victoria Park Addition	$236.30	7/10/79--203-12

CONTRACTS (WATER)

7824	Niemeyer Corporation, Hessen Cassel Rd.		2/13/79--28-9
7902	Westwood Development, Inc.,Westwood Valley, Section I		5/22/79--132-17
7903	Fox Contractors Corporation, McArthur Dr.-Baer Rd. Feeder Main	$44,630.51	7/10/79--196-24

CONTRACTS (WATERWORKS)

77-W-1	Hagerman Construction Corporation, Washwater Retnetion Basin, C.O.#5	$385.00	1/9/79--3-16
78-XP-1	Engineering Sales Company& Ft. Wayne Water Utility, Ardmore Ave. Water mains.		2/13/79--28-11
	Hagerman/Shambaugh(Joint Bidders), WPC Plant Expansion--C.O.#23	$47,025.50	5/22/79--132-23

MISCELLANEOUS

1980 Capital Improvement Program--6/12/79--162-16
Rate Revisions for WPC Utility--From Bernard T. Perry, Utility Consultant--6/12/79--171-3

CABLE TV

"Acknowledgement Receipt" & "Registration Statement"--Citizens Cable--136-10
"Certificate of Use of Assumed Name"--Citizens Cable to Ft. Wayne Cablevision--202-7
Citizens Cable of Allen County --Service to Canterbury & Shoaff Park River Estates--40-7,53-4
Citizens Cable of Allen County--53-4,77-10
Ft. Wayne Cablevision--255-14

DEEDS, DEDICATIONS, EASEMENTS, ENCROACHMENTS, GRANTS

COMMISSIONER'S DEEDS

WARRANTY DEEDS

From City to Eugene A. Bondarenko: 2106 S. Hanna St.----------7/10/79---------209-
From City to Arene & Geraldine Easter: 1426 Hayden St.----------2/27/79---------47-
From City to Jess Kidd: 513 LaSalle St.----------4/24/79---------106-
From City to Horace J. Lee: 1510 &1516 Fletcher Ave.----------6/26/79---------195-
From City to McMahon Paper Company, Inc.: 1818 S. Anthony Blvd.----------3/13/79---------54-
From City to Kim L. Wallace: 1155 Harmar St. & 1144 Division St.----------6/26/79---------185-
From City to James H. Bowman: 421 E. Dewald St.----------16-
Quit-Claim Deed:C.Gordon Diver to City, area of Clinton & Fourth Sts.
(Third Street Pumping Station)----------158-
Quit-Claim Deed: City to Phillip H.Love, East ½ of lot 212(Eliza-Hanna Sr. Addition)
known as 1324 Hayden St.----------16-
Quit-Claim Deed: City to George I. & Geneva Coplen, NW quarter of SE quarter of Section 11,
Township 32 N, Range13 E.----------163-
Quit-Claim Deed: City to T.F. & D. Hagerman, S.W. & C.D. Fletcher, F.B. Jr. & O.C. Kelsey,
& W.O. & J.H. Hagerman(In connection with Sewer Res. #290-77
North Maumee Interceptor)----------13-

DEDICATIONS

GRANTS OF EASEMENTS

Robert Cutler & Zolton Herman to City - Ardmore-Covington Area(Sewer Res. # 304-78)----------140-16
Blue Jay Associates to City - in Wayne Township, Section 33, Township 30N, Range 12 E.,
(Rogate Industries)----------228-21
Charles H. & Cora M. McIntosh to City - Gerke's Trier Road Addition----------121-10
Darrell G. Brooks to City - Temporary Easement - E 20 ft. of Lot #31, Ludwig Park Addition---------164-
City to Indiana Franklin Realty, Inc. - parts of Calhoun St. & the E-W alley between
Wayne St. & Washington Blvd.(to One Summit Assoc.)----------81-16
T.F & D. Hagerman, S.W. & C.D. Fletcher, F.B. & O.C. Kelsey, & W.O. & J.H. Hagerman
to City - Part of Section 5, Township 30N, Range 13E(N.Maumee River Sanitary Interceptor-
Res. #290-77)----------4-19,13-

RELEASE OF EASEMENTS

From City to T.F. & D. Hagerman, S.W. & C.D. Fletcher, F.B.Jr. & O.C. Kelsey, & W.O. & J.H. Hagerman
Part of Section 5, Township 30N, Range 13E.(N. Maumee River Sanitary Interceptor-
(Res. #290-77)----------5-20, 13-4
From City - Release of Public Utility Easement - Near King St., Harmar St., & Comparet St.----------183-12
From Charles N. Hall to City - E.½ &SE.¼ of Section 14, Township 31N.----------102-10

ENCROACHMENTS

Building Encroachment Easement - 908 S. Calhoun----------
Building Encroachment Easement - SE corner of Superior & Clinton Sts.----------162-17
Building Encroachment Easement - for Azar's, Inc. at 1033 E. Tillman Rd. ----------174-13
Building Encroachment Easement - for Bobilya Shoes at 215 W. Wayne St.----------70-9
Notice of Recognition of Encroachment - Ball Diamond Fence Encroachment by Ft. Wayne Turner's
Baals Dr. - Street right-of-way.----------117-9
Notice of Recognition of Encroachment - National Oil Corporation, 2531 Broadway,
right-of-way in front----------10-8
Notice of Recognition of Encroachment - Roberta Ladd% NEO-LIFE, 3914 Coldwater Rd.----------149-24
Notice of Recognition of Encroachment - Linda Newman% Wigwam Wigs, 3912 Coldwater Rd.----------149-25
Notice of Recognition of Encroachment - McMahon Firestone, 3930 Coldwater Rd.----------149-26

M I S C E L L A N E O U S

ACCOUNT WRITE OFFS ----------24-7,53-10,88-7,117-7,161-7,204-18,247-15
Amendment to Chapter 24 of Ft. Wayne City Code Article VI, Section 603 &605
FOR SPECIAL SEWER RATE ----------70-8
American Public Works(Invoice) for Public Agency Membership----------174-12
Appropriation fo Money -- State Allocated to L.R. & S FUNDS----------128-18
Beacon Heights Church of the Brethern, Inc.,----Use of Curdes Ave.----------203-10
City of Ft. Wayne & Crum & Forster Insurance Co. to pay L.M. Garr &
M. Lotter -- Allen Superior Court --- CAUSE # S-78-369, & S-78-370---------168-12
City of Ft. Wayne to pay E.M. Imel -- Allen Circuit Court --
CAUSE # CC-78-1585----------122-13
Cities Service Company--------Real Estate at Fairfield & Hollis Ln.----------10-8
Invoice of John Dehner, Inc. ---- Reconstruction of Ramp Entrances to
City-County Building----------169-19
Installation of padding & flashing lights at FERNHILL EXTENDED CROSSING---------118-15
Flood Emergency -- John Dehner---BLUFFTON RD. (Invoice)----------53-5
Honeywell Inc., ---- Advanced Technology Computer ----------162-18
Moellering Construction ---- TILLMAN-OLD DECATUR RDS. ----------114-10
NUNC PRO TUNC (1/27/72) ---- Abandoning portions of Right-of Way, I-69----------242-16
Partial Release of Mortgage ---- to City for Highway Purposes ----------122-14
PAYMENT OF COMMISSIONS to J.Herbert Bazur CLU-----$3,896.00
RE: GA 1037DB - I & M Electric Co.----------244-3
Repair of Waterlines ---- 3002 Hollendale Dr.----------24-10
Resolution Granted by City(B-14-79) to Indiana Franklin Reality Inc.,
permanent easement ---- ONE SUMMIT SQUARE ----------81-16
Riverview Care Center ---- Woodshire Dr. (ACCEPTANCE)----------25-14
Street Lighting Invoice for Tillman Rd., Anthony Blvd., & Eastland Gardens------34-18
Turnbell-Green & Assoc. (Invoice) for engineering services----------149-20,161-11
URBAN FEDERAL AID PROJECT (#M7061)(Washington Cntr. Rd.) Invoice----------47-16
WEST CENTRAL NEIGHBORHOOD COMMUNITY CENTER ----------101-8,102-9,126-7,143-10,147-6,152-10,157-8

P E T I T I O N S

ALLEYS, CURBS, SIDEWALKS, STREETS, & STREET LIGHTING

North Anthony Blvd. (Curbs)----------98-9

North Anthony Blvd. (Street Lighting)----------98-10

Arlington Ave. (Street Lighting)----------21-24

1401 Broadway (Sidewalk)----------209-8

Buena Vista from Dodge to Lawndale----------111-12

1003 Ferguson Ave. (Curbs)----------114-8

Forest Park Blvd., from E. State to Dodge Ave. (Curbs)----------40-9

Hanna Street - the West side -(Sidewalk)----------157-10

Indian Village Area (Sidewalk)----------117-10

Kensington Blvd., from Lake to State Blvd. (Curbing)----------122-12

1016 Kinsmoor Ave. (Curbs)----------139-12

Maple Place (Sidewalk & Curbing)----------137-16

McClellan, from Pettit to Paulding (Street Pavement)----------236-16

McClellan, from Pettit to Paulding (Street Lighting)----------236-17

Minor St. & Huestis - the corner of - (Sidewalks)----------227-15

5915 Monarch Dr. (Curbing)----------221-9

Oakdale Dr., from So. Wayne to Fairfield Ave. (Curbing)----------184-14

Osage Street, from Boone St. to Burgess St. (Sidewalk)----------157-9

2802 Plaza Dr. (Sidewalk & Curbing)----------137-17

2812 Plaza Dr. (Sidewalk)----------114-7

Shawnee Dr., from Killea to Wildwood Ave. (Ornamental Street Lighting)----------204-19

4229 S. Wayne Street (Sidewalk)----------221-8

4230 S. Wayne Street (Sidewalk)----------137-15

Woodward Ave., from Curdes to Lawndale (Curbing)----------102-11

Vacation of Alley - running N-S from Wilt St. to Lavina St., & E-W from VanBuren to Broadway (Alley)----------102-12, 102-13

Nuttman St.(Sidewalk) from S. Wayne St. to Fairfield Ave.----------250-12

Nuttman St. (Curbing) from S. Wayne St. to Indiana Ave.----------250-13

RESOLUTIONS: ST., SDW., ETC.

RESOLUTIONS: EASEMENTS

PURCHASE ORDERS

PETITIONS

RESOLUTIONS: SPECIAL

PLATS

PETITIONS (CONT'D)

WATER & SEWER

Fairfax 2nd Addition (sewer)----127-1

Lincoln Park Area (Sewer)----158-1

Ranchwood Area (Sewer)----206-

Washington Township, SE ¼ of Section 23 (Restudy of Storm Drainage)----61-1

Winchester Rd., from Hartman Rd. to Godfrey (Sewer)----71-1

Kilbourne Dr., from L. Huntington Rd. to termination (Water)----148-1

Kruge Dr., from L. Huntington Rd. to termination (Water)----132-1

Kilmar Dr., from Sandpoint Rd. Eastward (Water)----61-1

Ludwig Rd., from Rodenbeck Dr. to Sharon Dr. (Water)----203-1

East Shore Dr., from St. Joe Center Rd. to Garden Rd. (Sewer)----99-1

PLATS

Arlington Park, Section XI----98-

Arlington Park, Section XII----98-

Aspen Village, Section IV----230-

Brandon-Wood----174-

Branning Hills, Section 2----131-1

Broadview Terrace Ectended, Section I----27-7,161-

Broadview Terrace, Section I (to Amend)----27-

Covington Creek Professional Village----132-1

Franke Park Villas, Section 2----181-2

Longwood, Section I----131-1

The Meadows in the Park----114-

Newberry, Section II----132-1

Oak Borough, Section I----230-

Oak Borough, Section II----230-

Orchard Woods, Section B----230-

Shannonside, Section I----98-

Shordon Estates, Section IV----42-

Shoaff Park River Estates, Section C----60-

PLATS (CONT'D)

Stellhorn Village Apartments----------106-6

Versailles Village----------216-14

Breconshire, Section I----------255-7

Nasera Park----------256-17

Seneca Hills, Section III----------256-6

PURCHASE ORDERS

	CITY UTILITIES			TO COUNCIL	
0768	DeHaven Chevrolet, Inc.,	$ 6,071.84	----	1/23/79	-----13-5
0798	By-Products Management, Inc.	$ 7,500.00	----	1/23/79	----19-10
0822	Korte Brothers, Inc.	$ 7,409.00	----	2/13/79	----33-11
0824	Allen County Moters, Inc.	$ 4,685.70	----	2/13/79	-----40-8
0842	Rockwell International	$ 2,180.00	----	2/27/79	-----50-8
0870	General Electric	$ 2,232.00	----	2/27/79	-----45-5
0871	Walker Process Division of Chicago Bridge Iron Co.	$ 8,073.70	----	2/27/79	-----46-6
0881	Mechanics Laundry & Supply Inc.	$ 34,460.40	----	2/27/79	-----46-9
0886	DeHaven Chevrolet, Inc.	$ 10,460.92	----	3/13/79	----54-12
0893	Glenbrook Dodge, Inc.	$ 7,834.69	----	3/13/79	----54-11
0914	Asphalt Maintenance & Service Dept.	Blanket Order	----	3/27/79	-----73-6
0915	Siebold-Price Tree & Landscaping	" "	----	3/27/79	-----74-7
0920	D & J Lawn Service	" "	----	3/27/79	-----74-7
0931	Hersey Meter Co.	$ 3,537.00	----	3/27/79	-----83-7
0935	Hefner Chevrolet, Inc.	$ 15,810.00	----	3/27/79	-----83-8
0936	Hoosier Truck Equipment, Inc.	$ 3,352.00	----	3/27/79	-----83-8
0948	Cambridge Memories, Inc.	$ 26,634.50	----	3/27/79	-----83-9
0972	Treaty Company	$ 2,790.84	----	4/10/79	----95-13
0998	Fuller Company	$ 4,880.00	----	4/24/79	---103-15
1015	American Darling	$ 11,745.00	----	4/24/79	----114-9
1055	Hersey Meter Company	$ 3,000.00	----		---132-19
1060	Business Equipment Co.	Blanket Order	----		---136-11
1061	Shrex of Ft. Wayne	" "	----		---136-11
1062	Doubleday Brothers	" "	----		---136-11
1069	Rockwell International	$ 3,329.74	----	5/22/79	---139-10
1079	Clow Corporation	$ 6,516.00	----	5/22/79	---148-18
1087	Tomco Equipment Co.	$ 4,923.00	----	6/12/79	---153-15
1090	Overhead Door Co.	$ 4,428.00	----	6/12/79	---153-17
1091	Ford Meter Box Co.	$ 3,234.00	----	6/12/79	---153-14
1102	General Electric Co.	$ 4,399.45	----	6/12/79	---157-11
1109	Price Brothers Co.	$ 3,988.00	----	6/12/79	---175-16
1148	V.R. Myers Pump	$ 2,530.50	----	6/26/79	---194-10
1166	I.B.M. Corporation	$ 5,808.00	----	7/10/79	---203-14
1168	Murray Equipment	$ 2,873.00	----	7/10/79	---203-11
1191	By-Products Management, Inc	Blanket Order	----	7/24/79	---223-14
1194	Treaty Company	$ 4,150.44	----	7/24/79	---226-13
1198	T-G Excavating, Inc.	$ 4,660.00	----		---227-14
1203	Bercot, Inc.	$ 5,400.00	----		---237-20
1208	General Electric Co.	$ 5,896.00	----	7/24/79	---236-19
9974	Bercot Inc.	$ 1,656.00	----		----14-16

RESOLUTIONS: ST. SDW. ETC.

RESOLUTIONS: EASEMENTS

PURCHASE ORDERS

RESOLUTIONS: ST. LIGHTING PROJ.

RESOLUTIONS: SPECIAL

RESOLUTIONS: SEWERS

CITY UTILITIES

CIVIL CITY PURCHASE ORDERS

04252	Continental Construction Co.	$ 417.00			237-26
03559	Brooks Construction	$ 600.00			14-16
03589	L.W. Dailey, Inc.	$ 1,200.00			19-15
03645	" " "	$ 3,800.00			5-23,166-9
03665	Carrington & Associates	$ 1,528.00			19-16,117-14
03695	Hipskind Asphalt Corp.	$ 2,198.80			154-20
03718	Brooks Construction Co.	$ 15,612.65			149-19
03719	Wayne Asphalt Corp.	$ 13,940.50			154-21
03720	Moellering Construction Co.	$ 15,748.30			149-23
03721	Hipskind Asphalt Corp.	$ 16,593.90			132-21
03733	Carrington & Associates, Inc.	$ 4,440.75			175-17
03765	" " "	$ 132.06			175-18
04292	Emil Holiday	$ 150.00			175-19
05209	Robert J. Houser, Construction	Misc.Projects			217-24
05219	Carrington & Associates	$ 4,790.08			106-8
05232	John Dehner, Inc.	$ 3,504.75			53-7
05861	Hite Equipment Repair, Inc.	$ 7,541.25		2/13/79	36-9
06184	Morton Salt Company	$ 22.90		4/24/79	115-12
06376	Bituminous Materials	Blanket Order			175-15
06377	" "	"	"		175-15
06378	" "	"	"		175-15
06663	Hipskind Concrete Corp.	$ 2,219.50			206-32
06683	Carrington & Associates	$ 2,624.35			230-11
06684	" "	$ 4,049.79			230-10
06690	Robert J. Houser, Construction	$ 977.00			238-28
06691	New Exteriors, Inc.	$ 370.00			238-29
06692	Wayne Asphalt & Construction Co.	$ 4,584.19			238-30
06695	Carrington & Associates, Inc.	$ 3,673.02			238-27
34213	Continental Construction Co.	$ 165.90			237-26
34464	" " "	$ 740-75			237-26
34465	" " "	$ 618.48			237-26
05246	Carrington & Associates	$ 2,619.75			127-14

ALLEY - STREET - SIDEWALKS - CURBS

5733-76 ----- (curbs, sdw, resurfacing) Oxford Impact Area, Phase II----------61-16

5734-76 ----- (curbs, sdw, resurfacing) Oxford Impact Area, Phase II----------61-16

5761-77 ----- Southwood Park Addition----------22-3,32-6,180-14,184-13

5767-77 ----- Clinton from Barr to Superior St.----------20-20

5775-77 ----- East Central Impact Area, Phase II----------61-16,205-22

5781-77 ----- West Central Impact Area, Phase II----------61-16

5784-77 ----- (sdw) 2019 Warsaw St.----------22-1,32-7

5789-77 ----- Lincolnshire Addition, Sections A & B----------22-2,32-8,37-11

5796-78 ----- Columbia Ave. - "The Landing"----------19-11,24-9,91-10,147-7, 171-2,179-6

5797-78 ----- Jefferson-Washington-Maumee.Project----------19-12,153-12,206-34, 243-18

5793-77 ----- Spy Run Ave. (sdw)----------241-11

5798-78 ----- Tillman Rd.from Anthony to Hessen Cassel----------154-19,179-7,232-2

5801-78 ----- East Central, Phase III----------61-16,195-13

5802-78 ----- Nebraska Neighborhood, Phase III----------3-13,61-16,195-14

5803-78 ----- Vance Ave. (Street)----------3-15

5804-78 ----- Northwest Central I.A.Phase III----------61-16

5805-78 ----- Streets in 1st & 2nd Districts----------43-12

5807-78 ----- Streets in 5th & 6th Districts----------43-11

5808-78 ----- West Central, Phase III----------61-16,199-12

5809-78 ----- Hanna-Creighton Impact Area----------61-16,137-18

5812-78 ----- Oxford Impact Area, Phase III----------3-14,223-15

5814-78 ----- LaRez Neighborhood, Phase I----------61-16,153-18,195-12 242-14

5816-78 ----- Pontiac St. & Creighton Ave.----------19-13,28-12,206-29

5817-78 ----- (st. resurfacing) Calhoun - Baker to Pontiac; Calhoun - Rudisill to Pettit----------28-13

5818-78 ----- (sdw) 1030 & 1038 St. Joseph Blvd.----------84-12,101-6,109-5

5819-78 ----- Ewing St - Runnion Ave.----------185-17,227-16,246-10

820-78 ----- Broadway - Berry - Creighton----------34-17,164-9,195-11, 205-28

5821-78 ----- Broadway (Resurfacing)----------195-15,242-13

5822-78 ----- 324 E. Berry (Demolition)----------36-10

5823-78 ----- Decatur Rd.----------28-14,43-9,241-12

5825-78 ----- (alley)Between Wildwood & Cottage(N-S) & between Indiana - So. Wayne (E-W)----------3-9,38-1,51-1

5826-78 ----- Bluffton Rd. - Old Trail Rd. Intersection Improvement----------91-1,110-8,116-4, 117-13,176-29

5827-78 ----- Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV, Section A & B; Northwest Central Neighborhood, Phase III----------124-24,142-5,152-7,225-7

5828-79 ----- (sdw) Hanna - Creighton, Phase III----------123-22,142-6,152-8,225-8

RESOLUTIONS: ST. SDW. ETC.
RESOLUTIONS: EASEMENTS
RESOLUTIONS: ST. LIGHTING
RESOLUTIONS: SPECIAL
RESOLUTIONS: SEWERS

RESOLUTIONS - (ALLEY - STREET - SIDEWALK - CURBS) - CONT'D

5829-79 ----- Oxford Neighborhood, Phase IV; LaRez Neighborhood, Phase II---140-14,160-5,166-8, 199-9,230-12

5830-79 ----- Production Rd. & State Rd. #3----------154-22,166-6,174-7, 225-9

5831-79 ----- Hobson Rd. - Lake Ave. Intersedtion----------167-11,187-5,194-6

5832-79 ----- Penn-Central Elevation - College St. - Jones St. - Wall St.--- 132-23,143-7,152-9, 188-12,223-16

5833-79 ----- Main St. - Maiden Ln. - Calhoun St.----------175-14,198-5,202-6,236-1 255-8

5834-79 ----- Wells St. (site clearance)----------135-8,151-5,157-6,188-13

5835-79 ----- Fernhill Ave. - Wells St.-Northrop----------136-9,152-6,157-7,203-15, 226-12

5836-79 ----- City-County Building Parking Plaza----------161-8,179-8

5837-79 ----- Mechanic St. footbridge----------154-23,166-7,174-6

5838-79 ----- Osage St.----------161-9,191-1,212-1,240-6, 246-6

5840-79 ----- Bolton Dr.; Vance Ave.; Bosworth Dr.; Kenwood Ave.; Glenwood Ave.; Alabama Ave.; Forest Valley Dr.; Forest Downs Dr.; & Lake Forest Dr.----------184-15,208-4,215-6,255-9

5841-79 ----- Masterson Ave.; Suttenfield St.; Lumbard St.; Lillie St.; Pontiac St.----------189-15,208-5,215-7,255-10

5842-79 ----- Lots 158-189 Brookview Addition----------204-17,244-1

5843-79 ----- Poinsette Dr.; West State Blvd.; Colwyn Ln.; Marston Dr.; Andrew St.; Cherolee Rd.; Ridgewood Dr.; Red Haw Dr.---------204-20,229-4,235-7

5844-79 ----- Enola Ct.; Opechee Way; Juliette Ave; High St.; Edenton Dr.; Creston Ln.; Dresden Ln.----------209-10,230-5,235-7

5845-79 ----- Arlington Ave.; Harrison St.; Indiana Ave.; McKinnie Ave.; Hoagland Ave.----------221-10,240-7,246-7

5846-79 ----- McKinnie Ave.----------222-11,241-8,246-8

5847-79 ----- Lillie St.; Winter St.; Oliver St.; Reed Sr.; Queen St.------222-12,241-9,246-9

RESOLUTIONS - SEWERS

287-76 ----- Monarch Park Storm Relief Project----------128-19

290-77 ----- North Maumee Interceptor, Section III----------20-22,(acceptance)20-23, 238-31,238-32

294-77 ----- Freeman - Covington Project----------21-25

298-77 ----- Rothman Rd. & Maplecrest Rd. Interceptor----------10-10,40-10,88-10,103-16, 127-15,127-16,210-13,210-14

300-77 ----- Washington Cntr. Rd. Lift Station Elimination, Phase I----------53-9,61-14,61-15

302-78 ----- Kruge Place Addition Sanitary Sewer----------2-5,23-4,32-4,39-4,58-6, (Sewer Easement Res. #161-78) 157-12,216-17

303-78 ----- Monarch Park Drain, Phase II----------20-19,110-9,175-20,176-21, 227-19,228-20,(acceptance) 228-22

304-78 ----- Covington Rd. - Ardmore Rd. Sanitary Sewer Extension (Sewer Easement Res. #162-78)----------46-7,60-6,64-4,66-6,76-5, 90-6,145-2,145-3,185-16

305-78 ----- Tillman Park-Southtown Mall Pump Station Elimination Sanitary Sewer (Sewer Easement Res.#163-78)----------27-5,42-5,56-24,58-4,66-5, 76-4,103-14,195-16,244-4, 246-11

876-78 ----- McKinley-Connett-Edwards Area Sanitary Sewer (Sewer Easement Res. #159-78)----------6-2,26-4,32-9,58-5,59-4, 168-13,212-3,226-10,226-11

877-79 ----- Wilkie's Addition Sanitary Sewer(Sewer Easement Res.#165-79)-----33-12,63-2,72-2,101-5,110-6, 116-6,176-28

878-79 ----- Ludwig Park Area, Divisions I & II(Sewer Easement Res#167-79)----85-15,112-3,126-6,135-7, 143-9,172-4,199-7,199-8, 203-13

307-79 ----- Ranchwood, Phase I Sanitary Sewer(Sewer Easement Res.#168-79)----250-9

SEWER EASMENTS

154-77 ----- Glenwood Park Lift Station Elimination----------121-10

159-78 ----- McKinley-Connett-Edwards(Sewer Res. #876-78)----------7-3,35-4,52-2,58-5, 59-4,71-10

161-78 ----- Kruge Place Addition (Sewer Res. #302-78)----------16-1,30-1,63-3,73-5, 216-15,216-16

162-78 ----- Covington Rd.-Ardmore Rd. (Sewer Res. #304-78)----------46-8,72-3,87-4,90-5, 29-1,145-1

163-78 ----- Tillman Park-Southtown Mall (Sewer Res. #305-78)----------27-6,52-1,73-4,119-1,129-2

165-79 ----- Wilkie's Addition (Sewer Res. #877-79)----------33-13,63-1,72-1,87-5,119-2

167-79 ----- Ludwig Park Area (Sewer Res. #878-79)----------85-14,112-2,155-1,163-1, 171-1,172-4

168-79 ----- Ranchwood, Phase I (Sewer Res. #307-79)----------250-10

79
WATER CONTRA
RESOLUTIONS: EASEMENTS
RESOLUTIONS: ST LIGHTING
RESOLUTIONS: SPECIAL
RESOLUTIONS: SEWERS

RESOLUTIONS - STREET LIGHTING

125-77 ------ CBD Street Lighting & Traffic Signals----------5-21,25-13,85-17,121-8,180-223-17

128-78 ------ Anthony Wayne Village----------2-7

131-78 ------ Lakewood Addition----------18-5,44-1,52-3,61-13,91-11,

132-78 ------ Devonshire Dr.----------18-6,24-5,80-12,149-6

133-78 ------ West Central, Phase II----------28-10,80-11,139-9,176-22,188-11,205-27

134-78 ------ Victoria Park Area----------6-1,26-3,32-10,80-13,203-12 149-7

135-78 ------ East Central, Phase III &IV----------2-6,9-4,80-14

136-79 ------ Northwest Central, Phase III----------25-18,41-4,45-4,122-11

137-79 ------ Harrison Hill Area----------167-10,212-2,232-1

S P E C I A L R E S O L U T I O N S

65-284-9 ----- Emergency Flood Resolution (Deister Machine Co.)--------28-16,158-17

65-289-7 ----- Emergency Flood Resolution----------166-9

65-308-4 ----- Emergency Flood Resolution(Repair WPC Storage Ponds)----43-14,70-6,60-5,88-9

66-16-15 ----- Emergency Flood Resolution(Repair Curbs on Dwenger Ave.)--20-21

66-278-20 ----- Notification of payment from Ft. Wayne Water Utility----153-11

67-2-8 ----- Vacation of Public St., Garden Rd./DeRome Reserve in Section 17, Township 31N., Range 13----------2-8

67-27-8 ----- Vacation of Public St.(Nelson St.)----------27-8

67-42-8 ----- Vacation of Alley (Running N&S - Covington Rd. & Whitmore St.-Section 15, Township 30N,Range 12 E.)-----42-8

67-54-15 ----- Fernhill Ave. Extended (Construction)----------54-15

67-54-16 ----- Sewer Resolution 294-77 - (Construction & Tap In Fees)-54-16

67-57-25 ----- Policy for Increased Use ofMinority Consultants--------57-25

67-68-15 ----- Emergency to fill Sandbags----------68-15

67-76-7 ----- Vacation of Public St.(Portion of Glenn Ave.)----------76-7

67-77-8 ----- Vacation of Public St.(Portion of Rathert Ln.)----------77-8

67-77-9 ----- Vacation of Property (Near Centlivre Brewing Co.)------77-9

67-78-14 ----- Repair of Pot-holes throughout the City----------78-14,180-16

67-84-10 ----- Vacation of Property in Fernhill Place Amended Addition--84-10

67-88-6 ----- Construction of Fernhill Ave. Extended - Wells St. to Northrop Ave.----------88-6

67-92-16 ----- Repair of Sewer in alley between 1600 blks. of High St. & Sinclair St.----------92-16

67-103-18 ----- Emergency Repair of broken water main on Lower Huntington Rd. & N&W Railroad----------103-18,185-21,204-21

67-126-9 ----- Public Hearing on Alley running E-W Catalpa-Bright St.-126-9

67-133-25 ----- WPC Utility General Rules & Regulations----------133-25,163-2

67-150-31 ----- Emergency sewer repair behind 1521 Crescent Ave.------150-31

67-168-14 ----- Vacation of Public St. (Hatfield Rd.)----------168-14

67-170-28 ----- Emergency sewer repair behind 325 Field St.----------170-28,227-14

SPECIAL RESOLUTIONS (CONT'D)

67-189-14 ----- Civic Center Parking Garage ----------189-14,232-3,233-4

67-217-23 ----- Vacation of Alley (E-W between Broadway & VanBuren; N-S between Berry & Wayne)----------217-23

67-218-25 ----- Emergency water casings for Res. #5835-79-Fernhill Ave.---218-25,237-20

67-222-13 ----- Vacation of Public St. (portion of Garfield St.)----------222-13,227-17

67-223-18 ----- Emergency Sanitary Sewer repair on Camden Dr.----------223-18

67-226-10 ----- RE: Sewer Res.#876-78-McKinley-Connett-Edwards----------226-10

67-227-18 ----- Repair of manhole at 2021 Paulding Rd.----------227-18

67-228-23 ----- Emergency repairs of the City Parking Garage----------228-23

67-251-14 ----- Resurfacing Clinton-Lafayette Sts.(State Highway Project #RS-12026)----------251-14

67-251-15 ----- Repairs at WPC Plant----------251-15

65-308-4 ----- WPC Plant Flood Damage Repair, Indiana Construction Corp; H.N.T. & B. (Steeg & Assoc. Div.)----------126-8

79

WATER CONTRACTS

RESOLUTIONS: SPECIAL

WPC PLANT EMP.

SPECIAL SEWER PERMITS

BAER FIELD INDUSTRIAL PARK SANITARY SEWER----------198-6

CANTERBURY GREEN, PHASE VIII, SANITARY & STORM SEWERS (ACCEPTANCE)----------174-11

CENTENNIAL INDUSTRIAL PARK, SECTION II (ACCEPTANCE)----------19-14

5601 COLDWATER RD. SANITARY SEWER EXTENSION (ACCEPTANCE)----------217-18

CONCORD HILL, SECTION II, SANITARY SEWER (ACCEPTANCE)----------162-14

CRESCENT AVE. SANITARY SEWER EXTENSION----------99-16

CROWN COLONY, SECTION K, SANITARY SEWER----------189-17

ENGLE RIDGE PARK SANITARY SEWER----------127-11

FAIRINGTON APARTMENTS (ACCEPTANCE)----------111-10

G & L CORP. SANITARY SEWER EXTENSION----------169-17

GENERAL TEL CREDIT UNION BUILDING - PARNELL PARK OFFICE BUILDING----------29-19

GLENBROOK EXPANSION, PHASE III, SANITERY SEWER----------122-16

GRABER DEVELOPMENT NORTH OF WOODMONT----------197-26

KNIGHTS INN SANITARY SEWER----------161-10

LAKE & COLISEUM SANITARY SEWER (ACCEPTANCE)----------13-7

LEY RD. STORM SEWER EXTENSION (ACCEPTANCE)----------174-10

4916 LIMA RD.-DENNY'S RESTAURANT SANITARY SEWER (ACCEPTANCE)----------117-8

MARINER'S RIDGE, SECTION III SANITARY SEWER (ACCEPTANCE)----------196-21

McDONALD'S SANITARY SEWER - 1103 GOSHEN RD. (ACCEPTANCE)----------36-8

MEDICAL PARK DRAINAGE CULVERT----------185-20

NEWBERRY, SECTION I SANITARY SEWER----------14-13

NEWBERRY OFF-SITE, SECTION I SANITSRY SEWER----------14-15

NORTH CLINTON STORM SEWER (ACCEPTANCE)----------10-9

OAK GROVE ESTATES, SECTIONS II & III SANITARY SEWER (ACCEPTANCE)----------18-7,18-8

PAPERMILL BLUFFS, SECTION II, STORM SEWER (ACCEPTANCE)----------123-18

PARKVIEW SCHOOL OF NURSING SANITARY & STORM SEWER (ACCEPTANCE)----------174-9

PERRY HILL SCHOOL - NORTHWEST ALLEN COUNTY SCHOOL (ACCEPTANCE)----------3-12

PINE VALLEY COUNTRY CLUB-12th ADDITION SANITARY SEWER----------185-18 , 250-11

PINE VALLEY VILLAGE MALL SANITARY SEWER (ACCEPTANCE)----------18-9

POINTSETTE-GOSHEN AVE SANITARY SEWER----------56-21,189-16

SEARS-KINNAIRD AVE. LATERAL----------154-24,246-12

SENECA HILLS, SECTION II SANITARY & STORM SEWERS (ACCEPTANCE)----------13-6,185-19

SHIVE NURSING HOME STORM SEWER-LAWRENCE DRAIN RELOCATION (ACCEPTANCE)----------161-13

SHOAFF PARK RIVER ESTATES, SECTION B - SANITARY SEWER----------98-15

SHOAFF PARK RIVER SETATES STORM SEWER #4----------158-16

SHOAFF PARK RIVER ESTATES, SECTION C----------196-25

SOUTH OF CARROLL RD., EAST OF G.R. & I. SANITARY SEWER----------29-20

TAMERA PLACE ADDITION SANITARY SEWERS (ACCEPTANCE)----------117-11,122-17

TANBARK, SECTION I SANITARY SEWER (ACCEPTANCE)----------3-11

SPECIAL SEWER PERMITS (CONT'D)

TANBARK, SECTION II ON-SITE & OFF-SITE SANITARY SEWER----------84-13

TERRY LANE-ROUSSEAU OFF-SITE SANITARY SEWER----------24-11

WEST WIND APARTMENTS OFF-SITE STORM SEWER----------127-10

WESTWOOD VALLEY, SECTION I SANITARY SEWER----------118-18

WHEATRIDGE OFF-SITE SANITARY SEWER , SECTION I----------14-12

WHEATRIDGE OFF-SITE SANITARY SEWER----------14-14

WINDRIFT, SECTION I SANITARY SEWER (ACCEPTANCE)----------206-33

WINDSOR WOODS, SECTION I, SANITARY SEWER----------61-10

WOODLANDS OF RIVERSIDE STORM & SANITARY SEWERS----------139-11

WOODMONT, SECTION V SANITARY SEWER----------56-23

WOOD YOUTH CENTER, SANITARY SEWER (ACCEPTANCE)----------3-10

S P E C I A L S T R E E T P E R M I T S

BRIDGEDALE TERRACE ADDITION, Section D----------209-6

DICHOTOMY CT.- Shoaff Park River Estates, Section C----------195-18

FOXCROSS COURT in Canterbury Green, Phase VII (Acceptance)----------95-14

KERCHEVAL PARK, Section II----------181-17

PAPERMILL BLUFFS, Section I----------29-21

SENECA HILLS, Section II (Acceptance)----------169-23

SLOCUM PLACE, Section I----------242-15

VILLA PARK CT., FRANKE PARK VILLAS, Sedtions I & II----------199-10,199-11

WENDY'S RESTAURANT - INWOOD DR.(North of Lake Ave.)----------169-18

WOODLANDS OF RIVERSIDE----------256-15

S E W E R T A P P E R M I T S

S-190-78 ----- 5616,5620, 5826, 5830 Industrial Drive ----$15,173.61(TOTAL)---181-18,200-19

W A T E R C O N T R A C T S

7715 ----- PAPERMILL BLUFFS, Section II (Acceptance)----------237-24

7718 ----- STATE STREET 16" Water Main Extension, Phase I----------29-18

7805 ----- CROWN RIDGE ADDITION, Section A----------13-8

7809 ----- TAMERA PLACE ADDITION (Acceptance)----------196-22

7810 ----- SENECA HILLS, Section II (Acceptance)----------56-22

7811 ----- SHANNONSIDE, Section I & II----------240-10

7812 ----- TANBARK ADDITION, Section I (Acceptance)----------189-18,217-20

7813 ----- TANBARK ADDITION, Section II----------190-19

7816 ----- CROWN COLONY, Section K (Acceptance)----------217-22

7820 ----- CROWN RIDGE, Section B (Acceptance)----------196-23

WATER CONTRACTS (CONT'D)

7821-A---- CONCORD HILLS, Section II (Acceptance)----------217-19

7823 ----- SHORDON ESTATES, Section IV----------80-8

7824 ----- HESSEN CASSEL RD.----------28-9

7825 ----- MARINER'S RIDGE, Section III, Phase A----------11-15

7901 ----- NEWFIELD ADDITION, Section II (Acceptance)----------190-20,255-12

7902 ----- WESTWOOD VALLEY, Section I----------132-17

7903 ----- BAER RD.-McARTHUR DR., Feeder Main, Phase I----------92-17,110-7,116-5,196-24,210-12

7904 ----- FRANKE PARK VILLAS (Acceptance)----------161-12,237-25

7905 ----- SHOAFF PARK RIVER ESTATES, Section C----------255-11

7907 ----- BRIDGEDALE TERRACE ADDITION, Section D----------209-7

WATER RESOLUTIONS

1013-79 ------ WATER MAIN IMPROVEMENT RESOLUTION--East Sherwood Terrace (WayneTrace)--71-13,104-1 112-1,135-6,143-8

1016-79 ------ WATER MAIN IMPROVEMENT RESOLUTION--Sharon Dr.-Ludwig Dr.-Rodenbeck Dr.--247-13

WATER IMPROVEMENT PROJECTS

77-W-1 (70-10-210) ---------- WASH WATER RETENTION BASIN

MCNAMEE, PORTER, & SEELEY, CONSULTING ENGINEERS

Contract dated 12/7/70

HAGERMAN CONSTRUCTION CORP.

Request for release of Escrow ------- $5,000 ----------117-12

C.O. #5 ------- $ 385.00----------3-16

C.O. #6 ------- 385.00 ----------78-15

Inv. #70-10-01-09 -------- $ 9,700.00(FINAL)----------98-12

MCNAMEE, PORTER, & SEELEY, CONSULTING ENGINEEERS — Filtration Plant Design 12/7/70; Amendment No. 1 3/30/77; Amendment No. 2 3/19/79 (67-86-18)

70-10-210-001-0 (77-W-1; 77-W-2; 77-W-3)

Inv. #5 -------- $ 1,769.87 ----------50-7

Inv. #6 -------- 1,999.27 ----------71-11

Inv. #7 -------- 8,774.65 ----------98-14

Inv. #8 -------- 9,317.78 ----------140-15

Inv. #9 -------- 11,823.92 ----------176-27

Inv. #10 ------- 10,937.52 ----------237-21

Inv. #11 ------- 11,443.67 ----------256-16

77-W-2 -------- THREE RIVERS FILTRATION PLANT EXPANSION

HAGERMAN - SHAMBAUGH (JOINT BIDDERS) ------ (CONTRACT, $14,728,000.00)

Escrow Agreement Signed ----------67-9

Inv. #1 ------ $345,997.71 ----------67-11

Inv. #2 ------ 200,879.84 ----------98-13

Inv. #3 ------ 319,509.15 ----------132-20

C.O. #1 ------ 15,490.00 (DEDUCT) ----------158-21

Inv. #4 ------ 319,145.09 ----------180-13

Inv. #5 ------ 317,992.91 ----------218-27

77-A-3 -------- ST. JOSEPH DAM & PUMP STATION ADDITIONS

SHAMBAUGH & SON, INC. ---------- (CONTRACT, $789,500.00)

Inv. #1 ------ $ 15,120.00 ----------67-12

Escrow Agreement ----------78-13

C.O. #1 ------ $ 44,968.00 ----------TO COUNCIL 6/12/79----------158-20

Inv. #2 ------ 26,055.00 ----------218-26

77-W-4 ------ ST. JOSEPH PUMP STATION

WORTHINGTON PUMP CORPORATION ------$14,166.90 ----------88-8

78-XP-1 ------ ARDMORE AVE.& ENGLE RD. WATER MAIN

CONTRACT to Council 2/13/79 ----------28-11
C.O. #1 ------ $170.00 (DECREASE) ----------176-26
BERCOT, INC. (ACCEPTANCE) ----------196-20

78-XP-2 ------ ORCHARD RIDGE COUNTRY CLUB WATER MAINS

Inv. #1 ------ $24,112.00 ----------29-17
Inv. #2 ------ 6,028.00 ----------206-30

78-XP-3 ----- ROTHMAN ROAD WATER MAIN EXTENSION

Agreement between CITY & N.E. CONST. CO. ------ $24,117.50----------80-10
NOTICE OF WATER MAIN EXTENSION ----------80-9
Acceptance ------ N.E. CONST. CO. ---- $6,029.38 ----------217-21

79-XP-1 ------ GETZ RD. across from W. JEFFERSON WATER MAIN

Approved ----------37-12
NOTICE to CONTRACTORS ----------37-12
Receive Bids ----------37-12,60-7
Award Contract to Ground Services, Inc. $24,425.00 ----------70-7
Contract to Council -------5/22/79 ----------122-15

79-XP-3 ------ MAIN STREET WATER MAIN

Approved ----------199-13
NOTICE to CONTRACTORS ----------199-13
Receive Bids ----------199-13,221-7
Award Contract to Bercot, Inc. $60,263.00 ----------225-6

W A T E R Q U A L I T Y C O N T R O L P R O J E C T S

WATER POLLUTION CONTROL PLANT EXPANSION DIVISION I
71-01-310-001 (C-180538-01) Dated 4/27/71

HENRY B. STEEG & ASSOCIATES - DIVISION OF HOWARD, NEEDLES, TAMMEN, & BERGENDOFF, CONSULTING ENGS.

HAGERMAN-SHAMBAUGH (JOINT BIDDERS)

Inv. #45 ------ $260,572.65 ----------10-6
Inv. #46 ------ 78,647.14 ----------33-14
Received Acceptance Agreements for New Equipment & Material - Div. I---------33-15,111-13
Inv. #47 ------ $125,419.95 ----------67-10
Inv. #48 ------ 109,205.56 ----------90-7
Inv. #49 ------ 40,506.62 ----------132-22
C.O. #23 ------ $ 47 025.50 ----------132-23
Inv. #50 ------ 21,077.10 ----------177-30
Inv. #51 ------ 22,926.16 ----------206-31

H. N. T. & B. - STEEG DIV., ENGINEERING SERVICES

Inv. # 71-01-310-01-85 ------ $3,668.58 ----------20-18
Inv. # " " " " 86 ------ 1,107.27 ----------43-13
Inv. # " " " " 87 ------ 1,765.78 ----------77-11
Inv. # " " " " 88 ------ 1,537.50 ----------91-8
Inv. # " " " " 89 ------ 570.29 ----------139-7
Inv. # " " " " 90 ------ 296.75 ----------196-19
Inv. # " " " " 91 ------ 322.77 ----------210-11

Received Acceptance Agreements as recommended----------169-21
by H. N. T. & B. - Steeg Div. and accepted
by Hagerman-Shambaugh (Joint Venture)

WATER POLLUTION CONTROL PLANT EXPANSION, ADDITIONAL SERVICES

H. N. T. & B. - STEEG DOV., ENG. SERVICES

Inv. # 71-02-310-01-03 ------ $3,351.22 ----------4-18
Inv. # 71-02-310-01-04 ------ 2,552.87 ----------20-17
Inv. # 71-02-310-01-05 ------ 6,482.01 ----------53-6

STORM WATER TREATMENT FACILITIES and SLUDGE LAGOON FACILITIES

HNT & B (H.B. STEEG & ASSOC. DIV.) (75-04-310-01-0)

Inv. # 75-04-310-01-0-10 ------ $ 720.00 ----------168-15
Inv. # 75-04-310-01-0-11 ------ 1,620.00 ----------168-16

ADVANCED WASTEWATER TREATMENT, PHASE C, TASK #1
78-08-310-001 (C-180774-02)

Inv. # 78-08-310-01-0-05 ------- $12,368.09 ----------68-13
Inv. # 78-08-310-01-0-06 ------- 31,304.45 ----------77-12
Inv. # 78-08-310-01-0-07 ------- 11,489.78 ----------123-21
Inv. # 78-08-310-01-0-08 ------- 23,227.33 ----------139-6
Inv. # 78-08-310-01-0-09 ------- 27,093.66 ----------158-18
Inv. # 78-08-310-01-0-10 ------- 51,161.22 ----------237-22
Inv. # 78-08-310-01-0-11 ------- 455.62 ----------237.23
Final Value Engineering Report ----------111-11

S P E C I A L P R O J E C T S

HUMANE SHELTER (EDA 06-51-26280)

MARTINDALE, TOURNEY, GIBSON, INC., ARCHITECTS

Inv. #5 ------ $ 927.31 ----------13-19
Inv. #6 ------ SEE 66-277-14 ----------
Inv. #7 ------ $ 564.45 ----------48-18
Inv. #8 (FINAL)--$2,326.56 ----------169-20

WEIGAND CONSTRUCTION CO., GENERAL CONSTRUCTION

Inv. #8 ------ $12,048.00 ----------15-18
Inv. #9 ------ $27,222.00 ----------47-14
Escrow Agreement ----------94-8
Inv. #10 ----- $500.00 ----------94-9
Contractor's Affidavit of Payment of Debts and Claims and Consent of Surety--95-12
Certificate of Substantial Completion ----------107-13
Escrow Agreement ----------162-15

SHAMBAUGH & SON, INC., MECHANICAL CONSTRUCTION

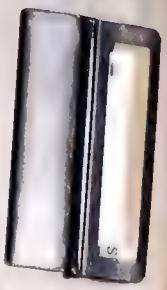
Inv. #6 ------ $ 7,741.80 ----------47-12
Certificate of Substantial Completion ----------107-13
Inv. #7 ------ $10,050.70 ----------139-8

HAVEL BROTHERS, INC., ELECTRICAL CONSTRUCTION

Inv. #5 ------ $1,089.00 ----------14-17
Inv. #6 ------ $1,167.00 ----------47-13
Certificate of Substantial Completion ----------107-13
Inv. #7 ------ $2,598.00(FINAL) ----------149-22

CONSULTING ENGINEERS

Butler, Fairman & Seufert, Inc.-------Ewing-Wells St. Bridge----------50-6,91-13
Butler, Fairman & Seufert, Inc.-------St. Joe Rd.-S.R.#37 to Evard----------50-7,91-12
Clyde E. Williams----ENVIRONMENTAL ASSESSMENT--------Lake Ave.----------133-24,205-23
Clyde E. Williams----ENVIRONMENTAL ASSESSMENT--------Bluffton Rd.----------133-24,205-24
Clyde E. Williams----ENVIRONMENTAL ASSESSMENT--------Crescent Ave.----------133-24,205-25
Clyde E. Williams----ENVIRONMENTAL ASSESSMENT--------Rudisill Blvd.----------133-24,205-26
Clyde E. Williams----ENVIRONMENTAL ASSESSMENT--------Ardmore-Hillegas
Corridor Project-------133-24,247-14
COMBINED SEWER OVERFLOW ----------76-6,97-5,207-36
STATEMENTS OF QUALIFICATION -- CONSULTING ENGINEERS ----------24-6,32-5,42-6



SPECIAL PROJECTS

OLD CITY HALL (EDA 06-51-26917)

COLE - MATOTT, ARCHITECTS & PLANNERS

Inv. #3 ------ $6,837.90 (FINAL) ----------102-13

W.A. SHEETS & SONS, INC., GENERAL CONSTRUCTION

Inv. #12 ------ $16,829.10 ----------10-11
Escrow Agreement ----------94-10
Certigicate of Substantial Completion ----------94-11

A. HATTERSLEY & SONS, INC., MECHANICAL CONSTRUCTION

Certificate of Substantial Completion ----------11-13
Escrow Agreement ----------30-2
Inv. #13 ------ $500.00 (FINAL) ----------34-19

SHAMBAUGH & SON, INC., ELECTRICAL CONSTRUCTION

Certificate of Substantial Completion ----------4-17
Inv. #12 ------ $1,879.00 ----------10-12
Inv. #13 ------ $8,688.00 ----------47-15
Inv. #14 ------ $10,997.00 (FINAL) ----------137-19

MASTER SEWER SYSTEMS FACILITY PLAN for SPY RUN AREA ----------104-3,255-13

FRONT

BO. 149-77 orig. pmt to Jeff for recording + return 4/11/80 67-250-10 H.I. 7/25/79

SEWER EASEMENT RESOLUTION #168-79

RANCHWOOD - PHASE I - SANITARY SEWERS

For the condemnation of Permanent and Temporary Easement for the purpose to construct a sewer line along and across a portion of the Northeast Quarter, Section 29, Township 31 North, Range 13 East and Northwest Quarter Section 29, Township 31 North, Range 13 East; bounded on the South by Trier Road; bounded on the East by the East right-of-way line of Elwood Drive; bounded on the West by Wyandotte Drive; bounded on the North by a line 195.00 feet North of North right-of-way line of North Drive.

Resolved by the Board of Public Works of the City of Fort Wayne that it is desired and deemed necessary to condemn rights-of-way for Permanent and Temporary Sewer Easement purposes to construct a sewer line along and across a portion of the Northeast Quarter Section 29, Township 31 North, Range 13 East and Northwest Quarter Section 29, Township 31 North, Range 13 East; bounded on the South by Trier Road; bounded on the East by the East right-of-way line of Elwood Drive; bounded on the West by Wyandotte Drive; bounded on the North by a line 195.00 feet North of the North right-of-way line of North Drive.

I. The following described Permanent and Temporary easements are located within Greendale Addition as recorded in Plat Book 21, page 112; more particularly described as follows:

Permanent Easements

a) South 15 feet of lots 14 thru 21 inclusive.
b) West 15 feet of lots 22 thru 31 inclusive.
c) North 15 feet of lots 52 thru 57 inclusive.
d) West 15 feet of lot 57.

Temporary Easements

a) West 10 feet of the East 17.5 feet of lots 1 thru 13 inclusive.
b) North 5 feet of the South 12.5 feet of lot 3.
c) South 5 feet of the North 12.5 feet of lot 2.
d) North 10 feet of the South 25 feet of lots 14 thru 21 inclusive.
e) West 25 feet of the North 180 feet of the South 195 feet of lot 21.
f) East 10 feet of the West 25 feet of lots 22 thru 31 inclusive.
g) West 10 feet of the East 17.5 feet of lots 32 thru 41 inclusive.

G.O. 149-77

67-250-9 H.I. 7/25/79

SEWER IMPROVEMENT RESOLUTION 307-79

RANCHWOOD - PHASE I - SANITARY SEWER

Resolved by the Board of Public Works of the City of Fort Wayne that the construction of sanitary sewers to extend sewage collection service to Greendale Addition, part of Gerke's Trier Road Addition, part of Exner's Addition, which from its size and character is intended not only to be used by property owners whose property abuts along the line of said sewer, but also for future extension, be and the same is here ordered.

MAIN LINE

Beginning at an existing manhole located 10± L.F. South of the Northeast corner of lot 4 in Gerke's Trier Road Addition as recorded in Plat Book 8, page 157; thence East 275± L.F. to a proposed manhole; thence North 410± L.F. to a proposed manhole; thence East 630± L.F. along the South right-of-way line of South Drive to a proposed manhole; thence East 610± L.F. terminating at a proposed manhole located 10± L.F. East of the Northeast corner of lot 93 in Greendale Addition, Section B as recorded in Plat Book 21, page 128.

LATERAL #1

Beginning at a proposed manhole located 7± L.F. East of and 7± L.F. South of the Northwest corner of lot 57 in Greendale Addition as recorded in Plat Book 21, page 112;thence North 1120± L.F. along vacated Bueter Road to a proposed manhole; then East 1200± L.F. along the North right-of-way line of North Drive terminating at a proposed manhole located 10± L.F. East of the Southwest corner of lot 81 in Greendale Addition, Section B, as recorded in Plat Book 21, page 128.

LATERAL #2

Beginning at a proposed manhole located 30± L.F. East of and 7± L.F. South of the Northwest corner of lot 53 in Greendale Addition as recorded in Plat Book 21, page 112; thence North 970± L.F. along the centerline of an existing utility easement terminating at a proposed manhole located 10± L.F. north of the Southwest corner of lot 42 in Greendale Addition as recorded by Plat Book 21, page 112.

LATERAL #3

Beginning at a proposed manhole located on the Southeast corner of lot 3 in Greendale Addition as recorded by Plat Book 21, page 112; thence North 1010± L.F. along the centerline of an existing utility easement terminating at a proposed manhole located 10± L.F. North of the Southeast corner of lot 13 in said Greendale Addition.

LATERAL #3-A

Beginning at a proposed manhole located on the Southeast corner of lot 3 in Greendale Addition as recorded by Plat Book 21, page 112; thence South 412± L.F. along an existing utility easement terminating at a proposed manhole located on the Southwest corner of lot 63 in Greendale Addition, Section B, as recorded by Plat Book 21, page 128.

LATERAL #3-B

Beginning at the above described terminus manhole of lateral 3-A; thence West 65± L.F. along the centerline of an existing utility easement terminating at a proposed cleanout.

LATERAL #3-C

Beginning at the above described terminus manhole of lateral 3-A; thence East 65± L.F. along the centerline of an existing utility easement terminating at a proposed cleanout.

LATERAL #4

Beginning at a proposed manhole located 10± L.F. East of the Northeast corner of lot 93 in Greendale Addition, Section B, as recorded in Plat Book 21, page 128; thence, North 1010± L.F. along the West right-of-way line of Ellwood Drive terminating at a proposed manhole located 10± L.F. East of and 10± L.F. North of the Southeast corner of lot 82 in said Greendale Addition Section B.

LATERAL #4-A

Beginning at the same proposed manhole as lateral 4; thence South 330± L.F. along the West right-of-way line of Ellwood Drive terminating at a proposed manhole located 10± L.F. South of the Southeast corner of lot 95 in Greendale Addition, Section B, as recorded by Plat Book 21, page 128.

Said sewer shall be 10" and 8" in diameter, with all appurtenances to be constructed in accordance with plans, profiles, special details and specifications now on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana and shall be used for sanitary purposes only.

All work done in the making of the aforementioned public improvement shall be in accordance with the terms and conditions of the resolution aforementioned and the plans, profiles and specification now on file in the office of the Board of Public Works of said City.

The total cost of said sewer shall be paid by the City out of sewer utility funds. These monies will be recouped through tap-in fees at the time benefitted property owners make a physical connection to the sanitary sewer.

ADOPTED THIS 25th DAY OF July, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar, Member

Max G Scott

Max G Scott, Member

ATTEST:

Ursula Miller

Ursula Miller, Clerk

67-247-13 H.I. 7/23/79

WATER MAIN IMPROVEMENT RESOLUTION

No. 1016, 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along Sharon Drive from an existing six (6") inch water main on Sharon Drive North to Ludwig Road; then on Ludwig Road from Sharon Drive East to an existing twelve (12") inch water main on Ludwig Road at Rodenbeck Drive.

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 23 *day of* July 19 79

BOARD OF PUBLIC WORKS:

Ursula Miller

Ethel W. Lamar

Mark G. Scott

79- 26546

67-243-19 H.I.
July 2, 1979
7/18/79

S-137-79
8/14/79

WATER POLLUTION CONTROL TREATMENT
AGREEMENT BETWEEN
THE CITY OF FORT WAYNE, INDIANA
AND
SEWAGE UTILITIES OF INDIANA, INC.

79 AUG29 AM 8:08
ALLEN COUNTY RECORDER

THIS AGREEMENT (hereinafter referred to as "Agreement"), entered into this 16th day of July, 1979, by and between the CITY OF FORT WAYNE, INDIANA, a municipal corporation of the State of Indiana (hereinafter referred to as (Contractor"), and SEWAGE UTILITIES OF INDIANA, INC., a corporation of the State of Indiana (hereinafter referred to as "Contractee").

W I T N E S S E T H, THAT:

WHEREAS, Contractor has a sewage treatment plant that is presently receiving Federal and State Grant assistance in the expansion of the capacity thereof, which, when expanded, will have a capacity available for the treatment of sewage from Contractee; and

WHEREAS, Contractee is an Indiana Corporation which holds Certificates of Territorial Authority from the Public Service Commission of Indiana to render sewage disposal service within certain areas in Perry Township, Allen County, Indiana, and desires to contract with Contractor to treat sewage collected by Contractee; and

NOW, THEREFORE, Contractor agrees to provide Contractee with sewage treatment service through Contractee's connection with the Fort Wayne sewer system for sewage treatment pursuant to the following terms and conditions:

1. Effective Date. It is understood and agreed between the parties that the contract shall become effective after its execution and approval by the Board of Public Works and Common Council of the City of Fort Wayne and by the Board of Directors of Contractee and such regulatory agencies as may be legally required. It is also understood and agreed that

DULY ENTERED FOR TAXATION
AUG29 1979
Louis J. Loughlin
AUDITOR OF ALLEN COUNTY

Jeff- -7061
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this Agreement is also subject to the approval of the Indiana Stream Pollution Control Board, the Indiana State Board of Health, and any other regulatory agency as may be legally required.

2. Term of Agreement. This Agreement shall continue in full force and effect for twenty (20) consecutive years from the effective date of this Agreement.

3. Interconnection. Contractor agrees to accept for treatment in its sewage system, sewage collection by contractee, at a connection point as indicated as "required metering and interconnection point for Pine Valley" on Exhibit "A-4" attached hereto and made a part hereof.

If additional tap-ins are agreed to hereunder by the parties, Contractee will prepare, provide and construct, at its expense, the following:

(A) Engineering plans and specifications for the gravity sewer line, pumping stations, measuring devices and appurtenances to connect its present system with the present Fort Wayne system at the metering and tap-in points, with copies of such plans and specifications to be given to the City of Fort Wayne at least two (2) weeks before the same are submitted for approval to the Indiana Stream Pollution Control Board and the Indiana Board of Health in order to allow Fort Wayne to review and make written comment with respect to said submissions.

(B) The easements relating to any land over which the transporting gravity sewer line is to be constructed are to be obtained and recorded.

It is expressly understood and agreed between the parties that all costs of the tap-in, including the planning, inspection and construction of any transporting gravity sewer line to said tap-in point shall be borne exclusively by Contractee.

4. Acceptance and Treatment of Sewage:

(A) Responsibility for Delivery and Transportation. Contractee shall be solely responsible for delivery of the sewage

material to the metering point and/or tap-in point in a form suitable for passage through the Fort Wayne sewer line system. The metering point and tap-in point are located as shown on Exhibit "A". Said sewage material shall be delivered from the Contractee's sewage line system to the tap-in and metering point by a gravity sewer line or force main. Contractor shall be solely responsible for transporting the sewage material from the tap-in and metering point and delivering same to its sewage treatment facilities.

(B) Treatment. Contractor shall be solely responsible for the proper treatment and transportation of the sewage materials received from Contractee in accordance with the requirements and standards of the Indiana Stream Pollution Control Board, Indiana State Board of Health and the Environmental Protection Agency.

(C) Sewage Materials Accepted. Subject to the approval of the Public Service Commission of Indiana, where said Agency's jurisdiction is applicable, Contractee shall comply in every regard applicable with Chapter 24 of the Code of the City of Fort Wayne, Indiana of 1977 (copy attached) as amended from time to time thereafter, and as applicable to all users of the system and specifically, but not limited to, Article III, Prohibited Industrial Discharge, and all Rules and Regulations of the Environmental Protection Agency. Contractor shall be under no obligation whatever to accept any type of waste or toxic materials, if said waste or material is a prohibited discharge under the rules of any regulatory agency having jurisdiction in the circumstances. Contractor has no obligation to accept radioactive material. It is recognized by Contractee that the Code of the City of Fort Wayne, Indiana of 1977, Chapter 24, may be amended from time to time so as to change the types of waste which must be accepted by Contractor and the parties specifically agree to such amendments; however, this shall not constitute a waiver of Contractee's right to testify or oppose passage of said ordinances and amendments. Upon discovery that unacceptable sewage materials as defined by Chapter 24 of the Code of the City of Fort Wayne, Indiana of

1977, as amended from time to time, or waste or materials deemed unacceptable pursuant to rules and regulations duly promulgated by any regulatory agency having jurisdiction, are being transmitted by the Contractee's connection to Contrator's system:

(1) Contractor shall immediately notify Contractee of such unacceptable sewage or materials, including the location, time or times, the nature of such unacceptable sewage or waste, and such other information as may be available.

(2) Upon verbal notification and confirmation thereof in writing and Contractee's ability to identify the user responsible for the delivery of such unacceptable sewage materials, Contractee shall notify that user to immediately cease delivery of such materials and/or waste within twenty-four (24) hours.

(3) Contractor shall, in the event Contractee is unable to identify the location, time and source of such unacceptable sewage, cooperate with Contractee in locating such source. The Contractee will use its best efforts to correct or cut off the user delivering unacceptable sewage materials to Contractee's and Contractor's systems.

(4) In the event that the user delivering such unacceptable sewage or materials through Contractee's Interconnection Point to Contractor's system, cannot be ascertained after diligent inquiry by Contractee and Contractor, then Contractee and Contractor shall give notice immediately to the Technical Secretary to the Indiana Stream Pollution Control Board, and request that an emergency investigation be instigated forthwith in regard to the matter. Said emergency investigation shall determine the severity of the damage to Contractor's collection and treatment facilities resulting from the discharge of such unacceptable sewage or materials. After such emergency investigation, the Technical Secretary to the Indiana Stream Pollution Control Board may issue an order mandating Contractee to cease delivering such unacceptable sewage. In the event Contractee does not comply with said order, then Contractor shall have the right to cease receiving sewage from Contractee at the interconnection point, and may disconnect at Contractee's

expense, or take other appropriate action consistent with the order of the Technical Secretary to the Indiana Stream Pollution Control Board until the cause for such action is remedied to the satisfaction of Contractee, Contractor, Environmental Protection Agency and Indiana Stream Pollution Control Board. Provided, however, that the right to cease servicing the entire system of Contractee, as in this paragraph set forth, shall be only for the delivering of unacceptable sewage or waste materials, as provided herein.

(D) Volume. In the event of flow which averages more than 0.250 mgd (hereafter "base mgd"), for any ninety (90) day period (hereafter "qualifying period"), then an additional treatment plant capital charge (hereafter "surcharge"), will be paid by Contractee, subject to the following provision:

(1) This surcharge shall be equal to the capital charge (as approved by EPA) for Contractor's treatment rate for all users multiplied by the ratio of the excess mgd during the qualifying period to the base mgd per 100 cu. ft. thereof.

(E) Cost of Treatment.

(1) Rate. Contractee agrees to pay to Contractor for the conveyance, treatment and billing of sewage flow received at the metering point both in respect of the volume and composition of such flow as set out in the contract rate attached hereto as Exhibit "B". As provided in said rate schedule, as approved by EPA and all legislative and regulatory bodies having jurisdiction thereof, Contractee agrees to pay, when applicable, any zone surcharge, excess strength surcharge, ~~or flat charge~~ so provided for.

The rates set forth in Exhibit "B", it is understood by the parties, will be subject to annual review and adjustment whenever the rates charged all other contract users are reviewed and adjusted.

It is understood by and between the parties hereto that Contractee may, in the event of a rate increase by Contractor,

apply to the Public Service Commission of Indiana for a rate increase to Contractee's customers. Contractor agrees that it will cooperate in connection with any hearing concerning said rate increase at Contractee's expense to the extent that the rate increase is necessitated by the increase in Contractor's rates to Contractee, but only to that extent.

(2) Metering and Sampling Devices. Contractee shall properly install and maintain these metering and sampling devices for the purpose of measuring the volume of sewage materials delivered by Contractee to the metering point for treatment, and to provide sampling and monitoring capability. Said metering and sampling devices shall be constructed in a manner and in a place acceptable to Contractor. The design of meters and metering points shall be approved by Contractor. Each such device shall be subject to the inspection, testing and approval of each party at all times. For these purposes, and for the purposes of reading and recording data from said meters, each party shall at all times have complete and free access to said metering points and devices. Notwithstanding the above, contractee may, at its *

The cost of planning, designing, building and installing any additional metering point or points and devices including acquisition of real estate shall be borne exclusively by Contractee. In addition, Contractee shall assume complete responsibility, including costs, for the installation, maintenance and repair of said metering device and will further defray any costs incurred by reason of testing of the metering devices as requests may be made by Contractor from time to time, provided such requests are reasonable as to frequency and nature of tests required.

Sampling devices which are capable of providing a twenty-four (24) hour composite sample taken hourly shall be installed and maintained by Contractor. The location of such sampling devices and the specifications thereof shall be

* expense, install a temporary metering device upon execution hereof for purposes of measuring the flow of sewage at the interconnection point until such time as the permanent metering device has been designed, approved and installed.

approved by the Contractor. Composite twenty-four (24) hour sampling will be conducted at the minimum of weekly intervals by Contractor. Parameters to be tested shall include PH, suspended solids, COD, BOD, phosphorus, metal ions, total nitrogen and other testing as required to satisfy Indiana Stream Pollution Control Board and the United States Environmental Protection Agency Regulations.

Material samples as received from the sampling devices shall be available to both contracting parties. In the event the Contractor provides to Contractee testing of samples, the cost of providing additional tests shall be paid by Contractee. The results of tests on samples shall be exchanged between the parties.

(3) Payment. The volume of sewage accepted by Contractor into its sewage system for processing from Contractee as measured by such metering devices shall be determined on or about the first Monday of each calendar month and Contractor shall bill Contractee within thirty (30) days thereafter for the charges applicable under rate schedules then in effect for the previous thirty (30) day metered period. Such charges shall commence on the first date sewage is accepted by Contractor into its sewage system from Contractee for processing. Payment shall be made by Contractee promptly, without the right to set off, within twenty (20) days after being billed by Contractor. This shall not be deemed to limit Contractee's right to litigate any disputed payment. Contractee shall make said payment to Contractor regardless of changes in conditions or litigation or other events so long as Contractor treats the sewage materials of Contractee.

(4) Rate Covenants of Contractee.

(A) Subject to the approval of the Public Service Commission of Indiana, Contractee shall institute, maintain and enforce a system of user charges in accordance with Section 204 (B) (1), Public Law 92-500 as amended and supplemented and the guidelines

and regulations promulgated from time to time thereunder by the Environmental Protection Agency.

Contractee shall adopt and enforce rates, rules and regulations for users of the sewage system of the Contractee which are in conformity with requirements adopted and enforced by the Contractor for the purpose of permitting the Contractor, on a continuing basis, to be awarded grants from the State of Indiana and from the Environmental Protection Agency and other governmental agencies which may now or in the future offer grants incident to the treatment and collection of sewage.

(B) Subject to the Approval of the Public Service Commission. Subject to the approval of the Public Service Commission of Indiana, Contractee shall institute, maintain and enforce an Industrial Cost Recovery System for industrial users (as such users are defined in 40 CFR 35.905), as required under applicable Rules and Regulations of the Environmental Protection Agency with particular reference to paragraphs 35.935-15 and 35.928 of the Rules and Regulations of the Environmental Protection Agency pursuant to Public Law 92-500, and all acts and amendments subsequent thereto.

Contractee shall collect in trust from industrial users of its system industrial cost recovery funds as may be required by the prevailing federal statutes and Environmental Protection Agency regulations referred to above as may be further directed and mandated by the Contractor, for and on behalf of Contractor, in respect of its requirements imposed by the Environmental Protection Agency so that said Contractor may, on a continuing basis, meet all of the requirements of its industrial Cost Recovery System. All funds collected from industrial users served by the sewage system of the Contractee in respect to state and federal grants of which the Contractor is grantee shall be held in trust as collected and shall be remitted to Contractor in accordance with payment provisions set forth elsewhere in this Agreement. In the event, pursuant to written notice thereof, Contractee fails to comply with enforcement

or collection requirements of the Industrial Cost Recovery and User Charge or any other provisions of Public Law 92-500 which failure places in jeopardy or in any other manner makes Contractor deficient and/or delinquent as a grantee of the state and federal governments, then Contractor can levy charges and collect revenues from Contractee to satisfy any such deficiency.

(C) Industrial Customers' Reports. In remitting Industrial Cost Recovery funds to Contractor as referred to above, information will be submitted by Contractee on a monthly basis or such longer period as agreed to by the parties in writing, including the name of the industry, industrial flow, analysis of waste and such other information as may be deemed necessary and useful to meet the requirements of Environmental Protection Agency and the Contractor.

5. Billing. Contractor will be responsible for reading the metering devices at metering and tap-in points and billing the Contractee therefor in accordance with rate schedules then in effect.

6. Litigation. The Contractee agrees and undertakes to hold harmless and indemnify Contractor from any damages and to bear the costs of any and all litigation arising from Contractee's operation of its sewage system.

7. Compliance with Rules, Regulations, Standards and Laws. The parties of this Agreement shall comply with all state and federal regulations, standards and laws regarding the collection and treatment of sewage and the operation of their respective systems. In the event studies and/or rehabilitations are necessary or required as a condition of Contractor receiving a sewage grant, Contractee shall fully cooperate with Contractor to satisfy such requirements.

8. More Than One Tap-In Point. Should it become necessary or convenient for the parties hereto for additional taps into the Contractor's sewer system in order to permit more adequate service,

then the location of such tap-in point must be mutually agreed upon between the parties. All of the terms and conditions of this Agreement shall pertain to extension of this Agreement.

9. Notices. Any notices required or desired to be given under this Agreement may be served personally or by mail. Any notice given by mail shall be deemed to have been served upon certified mailing, return receipt requested, postage prepaid, addressed to the party to be served at the last address filed by such party with the other party. At the date of the execution of this Agreement, Fort Wayne's address is City-County Building, Attention of the Mayor; and Contractee's official address is: Utility Center, 927 South Harrison Street, Post Office Box 875, Fort Wayne, Indiana 46801.

10. Benefit. All of the provisions of this Agreement shall inure to the benefit of, and shall be binding upon, the successors and assigns of this Agreement.

11. Rights in Event of Condemnation. If the Contractor shall exercise its right of eminent domain to acquire the assets of the Contractee, the Agreement shall expire and all rights herein provided to Contractee shall cease. Furthermore, in that event, neither this Agreement nor the rights of Contractee herein shall be considered an asset to be acquired or for which compensation shall be paid to the Contractee by Contractor. In the event the Contractor shall exercise its right of eminent domain successfully, this Agreement shall become null, void and no effect, and will not be considered as an asset by the Contractee.

12. Complete Agreement. The terms and provisions herein contained constitute the entire Agreement between the parties and shall supercede all previous communications.

ATTEST:

Charles W. Westerman
Clerk

CITY OF FORT WAYNE, INDIANA

By: Robert E. Armstrong
Robert E. Armstrong
Mayor

BOARD OF PUBLIC WORKS

ATTEST:

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ursula Miller
Ursula Miller, Clerk
BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

By: Ethel H. LaMar
Ethel H. LaMar, Member

By: Max G. Scott
Max G. Scott, Member

SEWAGE UTILITIES OF INDIANA, INC.

ATTEST:

By

Its Executive Vice President

L. DeNeal Hartman
Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared the above named Robert E. Armstrong, Mayor of the City of Fort Wayne, Charles E. Westerman, Clerk of the City of Fort Wayne, Henry P. Wehrenberg, Chairman, and Ethel H. LaMar and Max G. Scott, Members of the Board of Public Works and Ursula Miller, Clerk of the Board of Public Works, City of Fort Wayne, who acknowledged that they did sign the foregoing Agreement and that the same is their free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, this 17th day of July, 1979.

Notary Public
A resident of Allen County, Indiana

My Commission Expires:

3/6/80

STATE OF INDIANA)
)
COUNTY OF ALLEN)

Before me, A Notary Public in and for said County and State, personally appeared VERNON J. GORE, Exec. V.P & L. DeNeal HARTMAN, Secretary who acknowledged that they did sign the foregoing Agreement and that the same is their free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the 16 day of July, 1979.

Notary Public
A resident of Allen Co.

My Commission Expires:
APRIL 18, 1981

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Prepared by: William N. Salin

6/-171-3 5/31/79

BILL NO. S-97-06-13

EXHIBIT "B"

SPECIAL ORDINANCE NO. S-100-79 5/31/79

AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to adjust rates and other provisions prescribed therein

WHEREAS, it is necessary to adjust the rates charged for use of the Water Pollution Control service owned and operated by the City for the benefit of its inhabitants and of the inhabitants of the surrounding area who take advantage of its existence, and to make it mandatory that all inhabitants make connection for said service where available;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, 1974 is amended to be and read as follows:

Article II. General Provisions

201. Bylaws, Rules and Regulations. The Board of Public Works of the City of Fort Wayne shall, in accordance with the Statutes of Indiana, make and enforce whatever bylaws, rules and regulations it may deem necessary for the safe, economical and efficient management of the City's Sewage Utility, for the construction and use of building sewers and connections to the sewerage system, for the regulation, collection and refunding of the rates and charges for sewerage service and, in general, for the implementation of the provisions of this ordinance.

202. Requirements for Connection to Public Sewers. No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained and until he has satisfied his obligation to pay all assessments, reimbursements or pro rata shares of sewer extension costs laid against that property for public sewers installed to serve it. A tap permit given in error shall not operate to nullify any such obligation that has been duly recorded.

Tap permits shall be obtained from the City's Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of thirty-five dollars for each tap permit for a normal six-inch service, a fee of seventy dollars for each tap permit for a special six-inch service and a fee of seventy dollars for each tap permit for a service larger than six inches. After making each sewer tap and building sewer installation, the tap contractor shall notify the Sewer Engineer so that the tap and the building sewer can be inspected and approved before the excavation is backfilled. Any tap or building sewer installation not made in accordance with the foregoing provisions shall be deemed an illegal installation and, upon discovery, shall be promptly disconnected at the expense of the property owner and shall remain disconnected until the provisions of this paragraph 202 have been complied with.

The Board of Public Works shall have the authority to require an owner of real property to disconnect from a building sewer which drains into a sanitary sewer any downspouts, yard drains or other drains which carry the runoff of natural precipitation. Property owners shall have thirty days after notice to comply with any such requirements.

New connections should be made only after there has been adequate assurance by City that the downstream facilities of the sewage works have adequate capacity to handle the new waste loadings.

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CITY CLERK'S

No persons shall make connections of roof downspouts, exterior foundation drains, or other sources of surface run-off or ground water to a building sewer or building drain which is connected, directly or indirectly, to a sanitary sewer of the City.

Any and all private sewer systems of any kind now existing in or on premises where a public sewer is now or may hereafter become available shall be discontinued, emptied of its contents, cleaned out and be filled with earth or ashes, and the house sewer shall be disconnected from the existing private sewage system and be connected to the public sewer. All such connections to the public sewer shall be made within ninety days of the date the public sewer becomes available.

203. Extensions of Sewers Outside Corporate Limits. The installation, construction or extension of sewers by the City outside the corporate limits of the City and the connection or extension of sewers into the City's sewerage system from, by or for properties located outside such limits shall be prohibited, except upon prior approval by the Common Council of the City by duly enacted ordinance.

204. Connections to Sewerage System by Certain Out-of-City Properties. Notwithstanding the provisions of paragraph 203, the Board of Public Works of the City shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sewer which is part of the City's sewerage system, provided the property abuts, adjoins and is immediately contiguous to the street, alley or easement in which such sewer is located and provided the property owner or occupant has complied with the conditions set out in paragraph 202.

205. Violations and Penalties. Any person found to be violating or failing to comply with any of the provisions of paragraphs 202, 206, 301, 401 through 405, 501 through 503, 602 or 605 shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for its satisfactory correction. The offender shall, within the period of time stated in the notice, permanently cease all violations.

Any person who shall continue any violation beyond the stated time limit shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine in any amount not less than $100.00 and not more than $500.00. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of the paragraphs set out above and convicted thereof shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

206. Responsibility For City Property. No unauthorized person, firm, or corporation shall maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of or belonging to the Water Pollution Control Plant. Any person violating this provision shall be subject to immediate arrest under charge of a misdemeanor.

207. Amendment. The City of Fort Wayne reserves the right to amend this chapter of the Municipal Code, including the rates herein established, in part or in whole, as provided and permitted by the Statutes of Indiana, whenever it may deem it necessary.

ARTICLE VII. USER CHARGES

701. User Volume Charges

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

	Class of User	
	Domestic	Manufacturing
Treatment	17.1	17.1
Conveyance, Collection, Billing	16.6	10.8
Capital	10.7	8.1
Total User Charge	44.4	36.0

702. User Minimum Charges

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule exibited above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage.

Water Meter Size	Minimum Monthly Charge
5/8 - 3/4"	$ 2.22
1 - 1 1/2"	7.83
2"	15.98
3"	32.10
4"	53.36
6" or larger	148.21

703. User Flat Charges

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat Charge (1)	
	In-City	Out-City
Domestic User - Single Family Residence	$ 4.44	$ 5.33
Domestic User - Multi Family Residence	To be estimated by City	
Commercial and Industrial User	To be estimated by City	

(1) Subject in addition, if applicable, to zone surcharge. Estimates of monthly flat charges for multi-family residences shall be based on the number of family units accommodated by the system multiplied by the single family residence monthly charges. Estimates of monthly flat charges for commercial and industrial establishments shall be either estimated based on number of employees, manufacturing processes used and other pertinent sewer use indicators or based upon outfall measurements where available.

704. Regional Contract Sewage Treatment Charges

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

Volume Charge (cents per 100 cu. ft.)

Treatment	17.1
Capital Charge	10.7
	27.8

Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to that portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of $.50 and a monthly surveillance charge of $75.00.

Excess Strength of Waste Surcharge

In the event a contract customer contribution waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound
Suspended Solids - (SS)	3.587
Biochemical Oxygen Demand -(BOD)	3.582
Phosphorus - (P)	34.324

Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

Zone Surcharge

The total of foregoing charges for which any contract customer will be liable to City hereunder may be increased by the zone surcharge rate set forth in Article IX hereafter if said contract customer qualifies by reason of location.

Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by Chapter 24, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B (1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.905-8, 35.928-1 and 35.928-2, and 35.935-13.

705. Bulk Waste Charges

Industrial - For all industrial waste picked up from customer and hauled in City's vehicles to plant - $148.75 per load.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - $21.75 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

2. Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation, attributable to such class.

ARTICLE VIII. STRENGTH-OF-WASTES SURCHARGE

801. Liability for Surcharge

Each user discharging wastes into the sewerage system shall be subject to a strength of wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than as follows:

a. Biochemical oxygen demand of 220 milligrams per liter

b. Chemical oxygen demand of 440 milligrams per liter

c. Suspended solids content of 250 milligrams per liter

d. Phosphorus content of 10 milligrams per liter

802. Computation of Surcharge

The surcharge shall be determined as follows:

a. The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference betwen (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in paragraph 801. The surcharge for each constitutent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph 803. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

803. Rates of Surcharge

The rate of surcharge for each of the aforementioned constituents shall be as follows:

a. For biochemical oxygen demand - (BOD)	3.582 cents per pound
b. For suspended solids (SS)	3.587 cents per pound
c. For phosphorus (P)	34.324 cents per pound

804. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance, sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of $75.00 per discharge point.

805. Revision of Rates of Surcharge

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

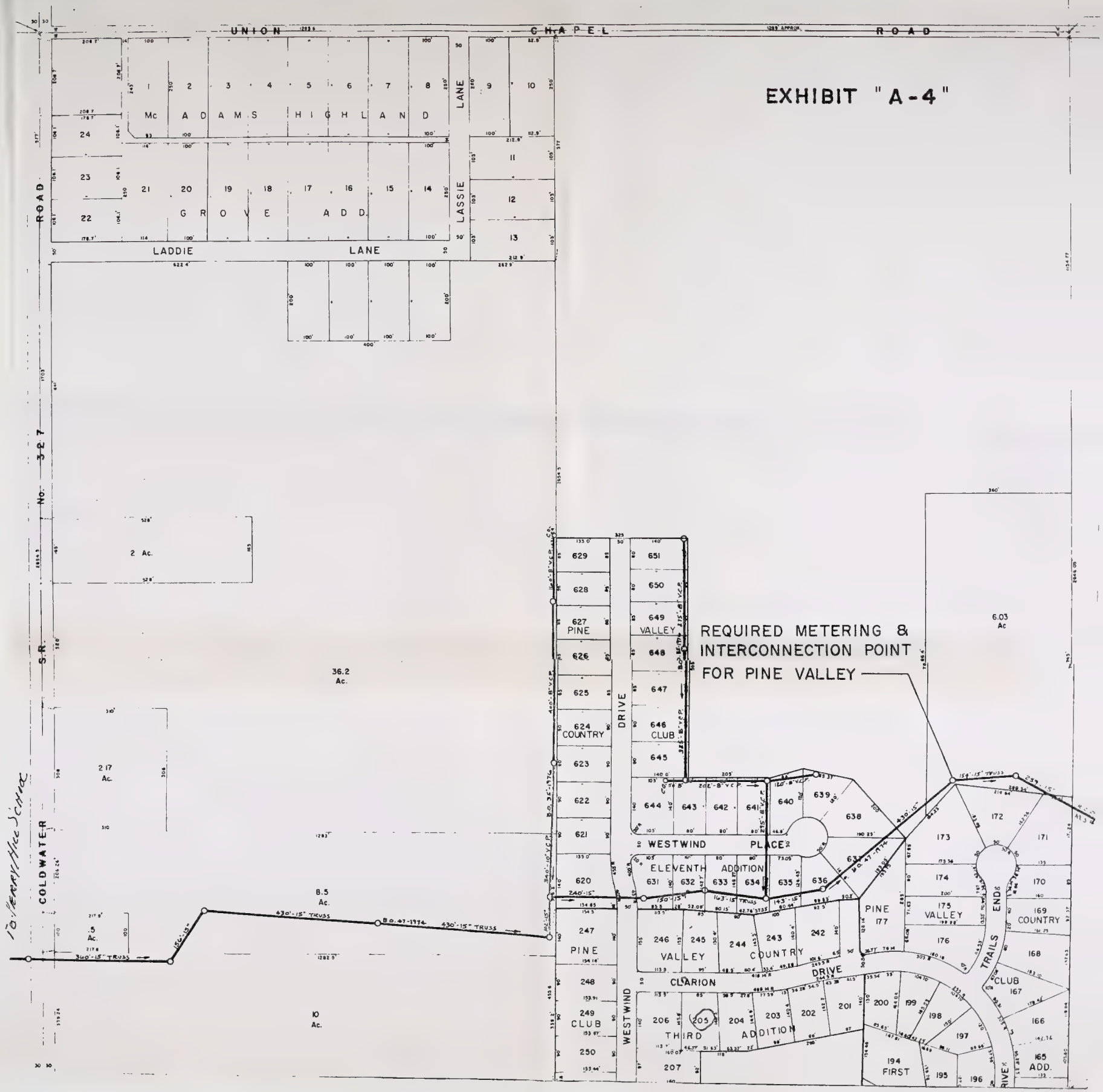
EXHIBIT "A-4"
UNION CHAPEL ROAD
Mc ADAMS HIGHLAND
GROVE ADD.
LADDIE LANE
LASSIE LANE
ROAD
S.R. No. 327
COLDWATER
2 Ac.
36.2 Ac.
2.17 Ac.
8.5 Ac.
.5 Ac.
10 Ac.
6.03 Ac
REQUIRED METERING & INTERCONNECTION POINT FOR PINE VALLEY
WESTWIND PLACE
ELEVENTH ADDITION
THIRD ADDITION
DRIVE
WESTWIND DRIVE
CLARION DRIVE
TRAILS END
CLUB
PINE VALLEY COUNTRY CLUB
PINE
VALLEY
COUNTRY
CLUB
194 FIRST
165 ADD.
430'-15" TRUSS
340'-15" TRUSS
B.O. 47-1974

67-242-16 H.I. 7/18/79

RESOLUTION

BE IT RESOLVED that the State of Indiana, by and through the State Highway Commission, does hereby release and abandon all its rights, title and interest in and to the said portions of R/W adj. to I-69, Section U-231, City of Fort Wayne, Indiana, as follows:

R/W adj. to I-69, Section U-231

Contract Number R-5088
Project Number I-69-4(3)109

See Relinquishment Item Sheet for Items 1 through 3 dated January 10, 1972 for locations and descriptions.

The new portion of the road is now open to traffic and the abandoned portions of a total distance of about 0.311 mile, are hereby turned back to the City of Fort Wayne, Indiana.

WITNESS OUR HANDS AND THE SEAL OF THE INDIANA STATE HIGHWAY COMMISSION

THIS 24th DAY OF January, 1972.

BY _____
CHAIRMAN

James T. Burns

_____

_____

ATTEST: _____
SECRETARY

DULY ENTERED FOR TAXATION
JUL 24 1979
Gloria J. Gaglin
AUDITOR OF ALLEN COUNTY

133

INSTRUMENT # 5588

RELINQUISHMENT ITEM SHEET
FOR RIGHT OF WAY ADJACENT TO I-69
CITY OF FORT WAYNE
JANUARY 10, 1972

Contract Number R-5088
Project Number I-69-4(3)109

Item #1

Relocated Industrial Road P.R. #4

From: The South R/W line of existing Washington Center Road Station 0 + 28± P.R. #4

To: Station 60 + 00 Line S-25-A, Except the original R/W thereof.

Length 0.22 mile

Item #2

Access Road P.R. Line #9

From: An East-West R/W line extending from P.R. Line #3 (SR #3) at Station 86 + 00, 75 feet left to Station 86 + 50, 175 feet left, Northwesterly.

To: East - West Quarter section line through Station 88 + 23.7.

Length 0.051 mile

Item #3

P.R. Line #15

From: North property line of Elnora Drive, North along the East side of the West Line East ½, W½, Section 13, T 31 N, R 12 E.

To: The North Property line of Lot 57 (North Sherwood Terrace Addition)

Length 0.040 mile
Total Length 0.311 mile

STATE OF INDIANA

INDIANAPOLIS

OFFICES OF STATE HIGHWAY COMMISSION

~~100 North Senate Avenue~~

~~Indianapolis, Indiana 46204~~
Fort Wayne District
5333 Hatfield Road
Fort Wayne, Indiana 46808

December 15, 1971

Subject: Frontage Road Abandonments,
Post I-69 Construction

Mr. L. R. Rush
5333 Hatfield Road
Fort Wayne, Indiana 46808

Dear Lee:

In regard to the above subject, I, the undersigned, as Mayor of the City of Fort Wayne, Indiana, will hereby accept the following I-69 Frontage Roads into the Fort Wayne Street System.

1. Contract R-5088, P.R. Line #4, provides access to Industrial Drive from Washington Center Road. Total length - 0.227 miles. Section 23, T3 IN, R12E.

2. Contract R-5088, P.R. Line #9, provides an entrance into the property of Elmer Kolmeiton. Total length - 0.057 miles. Section 22, T31 IN, R12E.

3. Contract R-5088, P.R. Line No. 15, provides access to the Edward J. & Martha A. Schafenacker residence from Elnora Drive. Total length - 0.040 miles, Section 13 T31 IN, R12E.

4. Contract R-5088, P.R. Line No. 12, provides an exit for Elnora Drive onto Washington Center Road. Total length 0.134 miles. Section 13, T31 IN, R12E.
Note: It is agreed and understood that the State of Indiana will provide resurfacing materials at such time that this section from Elngora Drive to the Washington Center Road is improved.

Harold S. Zeis
Mayor, Fort Wayne

67-236-18 7/16/79

Amended

A G R E E M E N T

THIS AGREEMENT, between the BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, hereinafter referred to as the "Board," and the REDEVELOPMENT COMMISSION OF THE CITY OF FORT WAYNE, INDIANA, hereinafter referred to as the "Commission,"

WITNESSETH:

WHEREAS, the Board has deemed it necessary to construct sidewalks, curbs, street lighting, storm drainage, widening and resurfacing of Main Street from Calhoun to Maiden Lane; and

WHEREAS, the Construction of sidewalks, curbs, street lighting, storm drainage, widening and resurfacing of Main Street from Calhoun to Maiden Lane is included in a Redevelopment project and is part of an Urban Renewal Plan; and

WHEREAS, the Commission has agreed to pay one hundred percent (100%) of the costs of the related items listed below, but not to exceed Seven Hundred Twenty-nine Thousand Five Hundred Twenty-four Dollars and Sixty-nine cents ($729,524.69).

1. Project construction costs for payment, widewalks, storm drainage, street lighting, updating traffic signals, and pavement striping;
2. Street Engineering Department engineering costs;
3. Construction engineering costs;
4. Technical Services consisting of surveying, drafting, and inspection;

and

WHEREAS, the Commission has agreed to acquire property and raze all buildings necessary and provide the extra right-of-way necessary for said widening of Main Street; and

WHEREAS, the Board has completed construction documents and specifications for said project and is willing to receive bids, award contracts, and cause said improvements to be installed and completed under their direction and supervision upon the Commitment of the Commission to provide the necessary right-of-way and to pay for the cost of said project, not to exceed Seven Hundred Twenty-nine Thousand Five Hundred Twenty-four Dollars and Sixty-nine cents.

($729,524.69).

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. The Commission shall review and approve the plans which will be submitted by the Board prior to taking bids.

2. The Board shall proceed with taking bids and shall award contracts for the installation of the improvements as described in the construction documents and specifications. The Board shall review the bids and the proposed contracts with the Commission prior to the award of contracts for the purpose of confirming that the cost of the project comes within the financial commitment of the Commission.

3. The Commission will make every effort to release the 100 block of West Main Street for street reconstruction prior to July 15, 1979.

4. The Board will make every effort to insure completion of reconstruction of the 100 block of West Main Street within three (3) months of the date of release by the Commission.

5. The Board shall direct, supervise, and administer the project.

6. The Board shall approve and forward all contractors' invoices for payment to the Commission for direct payment.

7. Upon completion of the contract, the Board shall provide to the Commission written certification that the work has been performed and the contract completed in accordance with the plans and specifications and receive certification from the contractors that costs have been paid in full by the Commission.

8. Commission shall pay for the entire cost of the project, but not to exceed Seven Hundred Twenty-nine Thousand Five Hundred Twenty-four Dollars and Sixty-nine cents ($729,524.69).

IN WITNESS WHEREOF, the parties have executed this Agreement this 23rd day of July, 1979.

BOARD OF PUBLIC WORKS

By: Henry D. Wehrenberg
Henry D. Wehrenberg, Chairman

By: Ethel H. LaMar
Ethel H. LaMar, Member

By: Max G. Scott
Max Scott, Member

ATTEST:

By: Ursula Miller
Ursula Miller, Clerk

REDEVELOPMENT COMMISSION OF THE
CITY OF FORT WAYNE, INDIANA

By: Leonard M. Weinraub
Leonard M. Weinraub, President

ATTEST:

By: Robert W. Hutner
Robert W. Hutner, Secretary

67-233-4 H.I.
7/12/79

Resolution of the Board of Public Works of the City of Fort Wayne, Indiana, approving acquisition, construction, financing, operation and leasing of an off-street parking facility.

WHEREAS, on June 13, 1979, the Board of Public Works of the City of Fort Wayne adopted a declaratory resolution that it is to the utility and benefit of the City and its citizens to construct, finance, maintain, lease and operate an off-street parking facility, the Civic Center Parking Garage, located on the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated in the Civic Center Renewal Project as the north one-half (1/2) of Block III, at a cost of approximately $3,005,169.00, financed by an Urban Development Action Grant from the United States Department of Housing and Urban Development, revenue bonds, and such other sources as the Common Council of the City of Fort Wayne may authorize; and

WHEREAS, Notice of the adoption of the resolution was published in the Fort Wayne Journal-Gazette and Fort Wayne News-Sentinel newspapers June 15, 1979, and June 22, 1979; and

WHEREAS, a public hearing was held by the Board of Public Works on July 12, 1979; and

WHEREAS, the Board has heard all persons interested in or affected by the proceedings who have desired to be heard, and considered all remonstrances filed;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

The Board of Public Works determines the off-street parking project, Civic Center Parking Garage, to be of public utility and benefit to the City and its citizens and confirms the declaratory resolution to construct, finance, maintain, lease and operate the off-street parking facility located on the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson, and Calhoun Streets in downtown Fort Wayne, Indiana, at a cost of approximately $3,005,169.00 to be financed by the proceeds of an Urban Development Action Grant of $1,462,000.00 and the balance

in the sum of $1,543,169.00 is to be furnished by the City of Fort Wayne out of revenues from the CCPG, from the proceeds of the sale of revenue bonds collateralized by revenues to be received from the CCPG, by the pledge and/or hypothecation of all or any part of the revenue to be received by the City from the Indiana & Michigan Electric Company and Peoples Trust Bank leases, or any other leases located within the CCPG, from the sale of leasehold space in the CCPG, and/or from such other sources as the Common Council of the City of Fort Wayne may authorize.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max Scott, Member

ATTEST: Ursula Miller
Ursula Miller, Clerk

67-228-23 H.I. 7/9/79

EMERGENCY RESOLUTION 67-228-23

WHEREAS, portions of the exterior of the City Parking Garage recently have fallen to the sidewalk below, and dangerous structural deficiencies have appeared; and

WHEREAS, the Parking Administrator and Structural Engineer have advised the Board of Public Works that said garage is in need of immediate repair; and

WHEREAS, the safety and welfare of the public using the Parking Garage and facilities in its vicinity are endangered; and

WHEREAS, the Indiana Construction Company, W. A. Sheets, and Prepakt Concrete, Inc., were invited to submit bids of this emergency repair; and

WHEREAS, Prepakt Concrete, Inc., of Cleveland, was the only company which submitted a proposal to perform these emergency repairs on a unit price basis not to exceed $30,000:

NOW, THEREFORE, the Board of Public Works hereby declares that an emergency exists and orders the Parking Administrator to requisition a Purchase Order to Prepakt Concrete, Inc., of Cleveland, to make said repairs.

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman
Board of Public Works

Ethel H. LeMar

Ethel H. LeMar, Member
Board of Public Works

Max G. Scott

Max G. Scott, Member
Board of Public Works

Adopted this 9th day of July, 1979.

Attest: Ursula Miller
Ursula Miller
Secretary & Clerk

Rogate Pk
Sewer
Ext. 15-19
Bd.

67-228-21 H-35 H.I.
79- 36829
H-35

GRANT OF EASEMENT FOR SANITARY SEWER

THIS INDENTURE WITNESSETH, that Blue Jay Associates, a New York Partnership of New York County, New York (hereinafter called "GRANTOR"), for and in consideration of One Dollar ($1.00), and other good and favorable consideration, the receipt whereof grantor hereby acknowledges, hereby gives, grants, and conveys, but without warranty to the City of Fort Wayne, an Indiana Municipal Corporation of Allen County, in the State of Indiana, its successors and assigns, (hereinafter called "GRANTEE") a right-of-way and easement to construct, maintain and operate a sanitary sewer line of fifteen inches (15") in diameter, with all necessary appurtenances for the transportation and carrying of sewage, under in and along said easement, which is part of the South one-half (1/2) of the Southwest one-quarter (1/4) of Section 33, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to wit:

Part of the Southwest Quarter of said Section 33, Township 30 North, Range 12 East, Allen County, Indiana, and furthermore extending across the Westerly and Southerly tip of a 31.28 acre tract conveyed from BLUE JAY REALTY CORPORATION to BLUE JAY ASSOCIATES (Document No. 71-06707), being 20 feet in width and centered on the line hereinafter described.

Commence at an existing Manhole situated 82 feet North of the south line of the Southwest Quarter of said Section 33, and 23 feet, more or less, East of the centerline of 13th Street produced North; thence Westerly and parallel to the South line of the Southwest Quarter of said Section 33, a distance of 400.0 feet; thence Southwesterly by a deflection left of 5°45', a distance of 270 feet, more or less, to a point of the East right-of-way line of State Road No.3 and the terminus of said easement, said terminus point being situated 58.3 feet Northerly of the South line of the Southwest Quarter of said Section 33 as measured on said right-of-way, said easement being made subject to all licenses, easements, conditions, covenants, encumbrances, leins mortgages, rights of persons in possession and leases, including a certain lease made and entered into the first day of April, 1971, by and between the Indiana & Michigan Electric Company as Tenant (hereinafter called "I&M") and Blue Jay Realty Corporation as Landlord, and claims of title which may affect said real estate.

79 DEC 3 AM 2:

ALLEN COUNTY RECORDER

"Grantee" may at any time, enter upon the "Easement" for the repairing, maintaining and/or relaying said sanitary sewer subject to the following:

1. Except in the event of an emergency which makes advance notice impossible, "Grantee" shall give "Grantor" and/or "I&M not less than ten (10) days' advance written notice of its desire to enter upon

DULY ENTERED FOR TAXATION
DEC - 3 1979
Gloria J. Goeglein
AUDITOR OF ALLEN COUNTY

Call Jim 7061
City Box

5.00
a

the "Easement" and shall so schedule such entry and departure therefrom as to accommodate, to the extent possible, "Grantor's" needs therefor and interrupt and inconvenience "Grantee" as little as possible. When upon the "Easement", "Grantee" shall perform the work which it desires to perform, with all due diligence, in an efficient, neat, orderly and expeditious manner and vacate the "Easement" as quickly as possible.

2. After each enter upon the "Easement", "Grantee" shall immediately repair or replace property of "Grantor" injured or destroyed as the result of "Grantee's" use of the rights herein granted and shall immediately return the surface of the "Easement" to the condition it was in immediately prior to "Grantee's" use thereof.

3. The said sanitary sewer shall be installed and maintained as nearly on the centerline of said "Easement", as possible and at a depth of not less than ten (10) feet below the surface of the ground as of the date hereof.

Except, the manholes at the beginning and at the first deflection (400± feet Southwesterly) which will be maintained at ground surface elevation.

4. "Grantee" shall defend, protect, indemnify and save "Grantor", and its successors and assigns, harmless from and against any and all claim, demand, liability, expense, damages, actions or causes of action arising out of, or in any way connected with, the granting of this easement or "Grantee's" exercise of its rights granted herein.

5. "Grantor" reserves all rights to the use of the Easement not inconsistent with the use thereof for the purpose for which it is granted.

6. "Grantor" reserves the right to dedicate the Easement, or any part thereof, for use as a public street or roadway.

7. "Grantor" through its duly authorized officers, certifies under oath that no Indiana Gross Income Tax is due or payable at this time in respect to the transfer made by this indenture.

8. Any notice hereunder shall be sufficient if given by certified

mail and addressed as follows:

To "Grantor" at: Blue Jay Associates
55 Water Street, New York, N.Y. 10041
Attention: Alan Washkowitz

To "I&M" at: Indiana & Michigan Electric Co.
P.O. Box 60
Fort Wayne, IN 46801

To "Grantee" at: City-County Building
Fort Wayne, IN 46801

IN WITNESS WHEREOF, the "Grantor" has executed this instrument this 9th day of November, 1979.

BLUE JAY ASSOCIATES
"Grantor"

BY John S Guest
John S. Guest
General Partner

STATE OF New York
COUNTY OF New York

Be it remembered that of the 9th day of November, 1979, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared John S Guest a partner of the Partnership of Blue Jay Associates, and acknowledged the execution of the foregoing instrument on behalf of said Partnership, as the voluntary act and deed of said Partnership for the uses and purposes therein set forth and having been duly sworn doth swear that the statements contained therein relating to Indiana Gross Income Tax are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Betty A McCaffrey
Notary Public
BETTY A. McCAFFREY
Notary Public, State of New York
No. 31-4681708
Qualified in New York County
Commission Expires March 30, 1980

My Commission Expires:
3/30/80

I am a resident of New York County, New York.

Prepared by Philip R. Boller, P.E. Water Pollution Control Engineering

SW CORNER
SEC. 33, T30 N, R12E
699.5'
BAER ROAD
58.3'
CENTERLINE
BAER FIELD TRUWAY
CENTERLINE
EXIST. 20' FT. EASEMENT
325 ±
270'
20'
5°45'
PROPOSED EASEMENT
400'
115'
105.4'
105.7'
133'
SECTION LINE
SEC. 33, T30N, R12E
SEC. 4, T29N, R12E
23' E. of 13th ST. ℄
CENTERLINE
13TH ST.
0'
50'
100'
SCALE : 1" = 100'

EXHIBIT "A"

orig sent to WPC (Wick)
for recording

American Electric Power System
INDIANA & MICHIGAN ELECTRIC COMPANY
2101 Spy Run Avenue, P. O. Box 60, Fort Wayne, Indiana 46801
Telephone: (219) 422-3456

July 3, 1979

Mrs. Ursula Miller
Board of Public Works
City of Fort Wayne
City-County Bldg.
Fort Wayne, IN 46802

Dear Ursula:

Enclosed is the easement for the sanitary sewer from Rogate Industries as it crosses the Indiana & Michigan Electric Company Baer Field Warehouse site. I&M leases the property from Blue Jay Associates. As you will note, Blue Jay has granted the easement to the City of Fort Wayne.

Will you please send us a copy of the instrument after you have had it recorded.

Thank you.

Very truly yours,

INDIANA & MICHIGAN ELECTRIC COMPANY

Wm. L. Blackburn
Right-of-way Agent - Senior

WLB:rjb

Enclosure

cc: Mr. Norbert Knapke
(Copy of Instrument Attached)

Attn: Wick

H.I
67-228-21 7/9/79

79- 20160 67-226-10 H.I. 7/9/79

RESOLUTION NO. 67-226-10

WHEREAS, the Board of Public Works did adopt Sewer Improvement Resolution 876-78 titled "McKinley - Connett - Edwards Sanitary Sewer" on December 6, 1978, and

WHEREAS, it was determined the Indiana & Michigan Electric Company was the legal property owner of certain lots and tracts which were subject to a full Barrett Law Assessment under Indiana State Code, and

WHEREAS, the Indiana & Michigan Electric Company has requested relief from the assessment for these lots and tracts because the residential development of these lots and tracts would be impractical under the existing use of these lots and tracts, and

WHEREAS, the Board of Public Works has on file a letter dated June 28, 1979, which states the Indiana & Michigan Electric Company will accept the assignment of any relief, granted to the area shown on Exhibit "A".

NOW THEREFORE BE IT RESOLVED by the Board of Public Works that:

(1) The assessment due on Lots 9,10,13,14,17,18,21,22,25,26,29 and 30 in Connett's Outlots and a small tract south of these lots which amounts to $29,845.96 shall be paid by City Utilities.

(2) An assessment is hereby established to that area shown on "Exhibit "A" in the amount of $29,845.96 and shall be paid to City Utilites in full whenever this area is developed by its owner.

ALLEN COUNTY RECORDER
79 JUL 10 PM 2:36

ADOPTED this 9th day of July, 1979.

DULY ENTERED FOR TAXATION
JUL 10 1979
Gloria J. Gaglein
AUDITOR OF ALLEN COUNTY

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST:
Ursula Miller
Ursula Miller, Clerk

Call Jeff
—7061

C
3.50

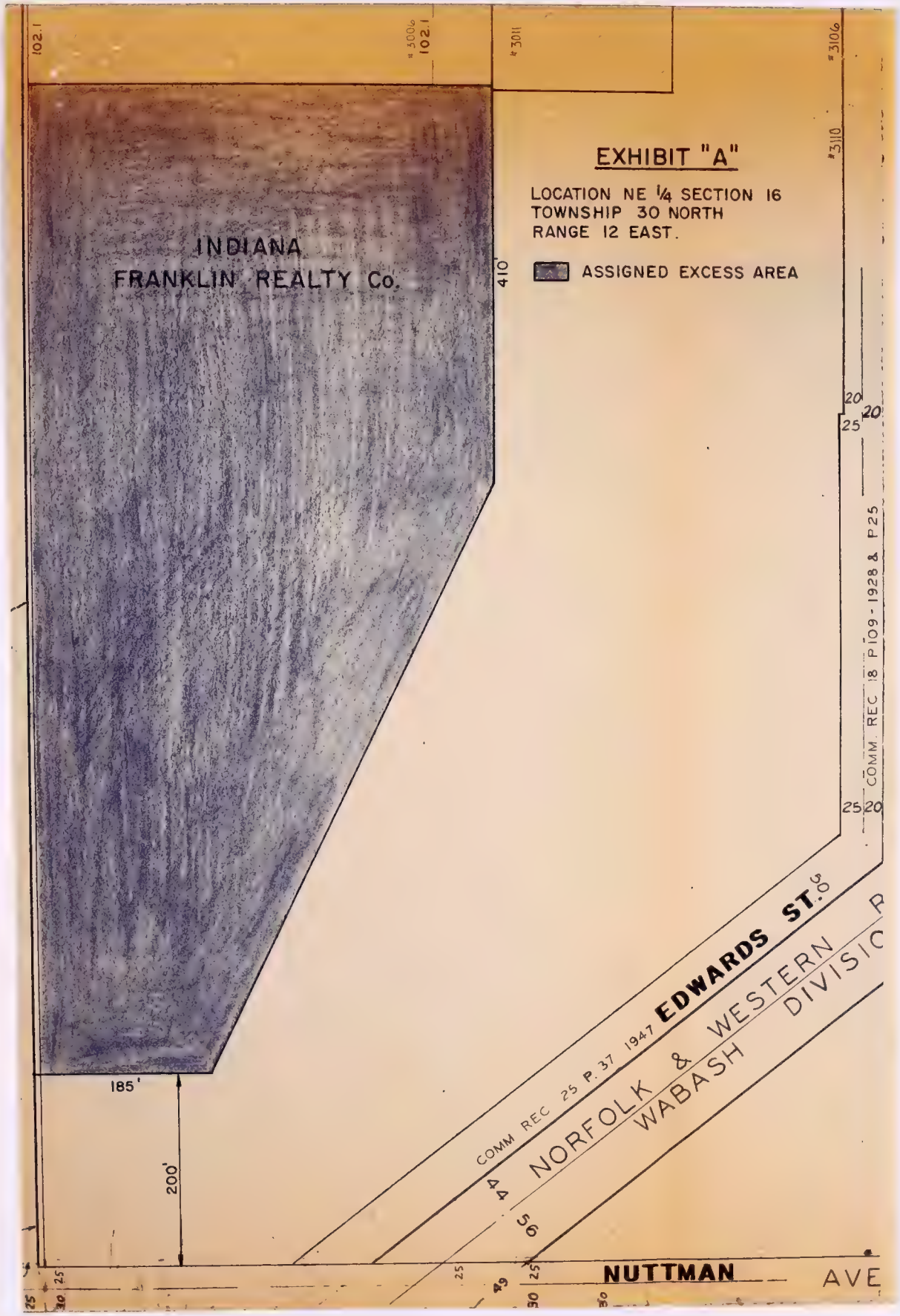
EXHIBIT "A"
LOCATION NE 1/4 SECTION 16
TOWNSHIP 30 NORTH
RANGE 12 EAST.
ASSIGNED EXCESS AREA
INDIANA
FRANKLIN REALTY Co.
102.1
#3006
102.1
#3011
#3106
#3110
410'
185'
200'
COMM REC 25 P. 37 1947
EDWARDS ST.
NORFOLK & WESTERN
WABASH DIVISIO
COMM. REC 18 P 109 - 1928 & P25
NUTTMAN
AVE
20
25
20
25
20
44
56
49
25
30

City Paid

67-222-12 H.I 7/5/79

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5847 - 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Lillie Street - From the south property line of Colerick Street to the south curb line of East Pontiac Street.

2. Winter Street - From the south curb line of Pontiac Street to the north curb line of Oxford Street.

3. Oliver Street - From the south curb line of Rudisill Boulevard to the north curb line of McKinnie Avenue.

4. Reed Street - From the north curb line of Fisher Street to the north curb line of Oxford Street.

5. Queen Street - From the north curb line of Oxford Street to the north property line of Manford Street.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 5th day of July, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST: Ursula Miller
Clerk

City Paid — 67-222-11 H.I 7/5/79

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5846 - 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that is is deemed necessary to improve by resurfacing and restoring pavement as designated on the following street to be known as:

Mc Kinnie Avenue - From the east curb line of Hanna Street to the west curb line of Anthony Boulevard.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 5th day of July, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST: Ursula Miller
Clerk

City Paid

67-221-10 H.I. 7/5/79

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5845 - 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Arlington Avenue - From the north property line of Pasadena Drive to a point 709 feet south thereof.

2. Harrison Street - From the north curb line of Lexington Avenue to the south curb line of South Cornell Circle.

3. Harrison Street - From the north property line of Darrow Avenue to the north curb line of Rudisill Boulevard.

4. Indiana Avenue - From the north curb line of Oakdale Drive to the north curb line of Rudisill Boulevard.

5. Indiana Avenue - From the south curb line of Wildwood Avenue to the north curb line of Oakdale Drive.

   NOTE: A 16 foot asphalt strip is to be placed down the center of Indiana Avenue as per above location description.

6. Mc Kinnie Avenue - From the east curb line of Calhoun Street to the east curb line of Hanna Street.

7. Hoagland Avenue - From the southwest curb line of South Cornell Circle to the north curb line of Sherwood Terrace.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 5th day of July, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST: Ursula Miller
Clerk

79- 19443

67-216-15 (66-273-7) H.I. 7/2/79

AMENDED SEWER EASEMENT RESOLUTION NO. 161-78 12/11/78

KRUGE PLACE ADDITION - SAVOIE'S SUBDIVISION

SANITARY SEWER - LOWER HUNTINGTON ROAD & ARDMORE AVENUE

For the condemnation of a Permanent and Temporary Easement for the purpose to construct, operate, control, and maintain a sewer line along and across a portion of the South half of Section 28 & 29, Township 30 North, Range 12 East, and the North half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235± feet East of the centerline of Ardmore Avenue, bounded on the South by a line 60± feet South of the centerline of Rurode Lane, bounded on the West by a line 995± feet West of the East line of the Northwest Quarter Section 32.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn rights-of-way for Permanent and Temporary Sewer Easement purposes to construct, operate, control, and maintain a sewer line along and across a portion of the South half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235± feet East of the centerline at Ardmore Avenue, bounded on the South by a line 60± feet South of the centerline of Rurode Lane, bounded on the West by a line 995± feet West of the East line of the Northwest Quarter Section 32.

1. The following described Permanent and Temporary Easement on space nor or formerly owned by Spy Run Development, Inc. as recorded in Deed Book 516, page 383; more particularly described as follows:

79 JUN 5 AM 11:15

Permanent Easement:

A. Beginning at the Southwest corner of the West half of the Southeast Quarter of Section 29, Township 30 North, Range 12 East; thence West 100.0 feet along the South line of the said West half of the Southeast Quarter of Section 29 to the true point of beginning of said Permanent Easement hereby described; thence continuing West along said South line of the West half of the Southeast Quarter Section 29 a distance of 657.68 feet to the West property line of said space; thence North 40 feet on a line parallel to the East line of the West half of said Quarter Section; thence East 657.68 feet on a line parallel to the South line of the West half of the said Quarter Section, to the East property line of said space; thence South 40 feet along said East property line to the place of beginning of the aforedescribed Permanent Easement.

Temporary Easement:

A. A 15 foot in uniform width easement lying immediately North of and adjacent to the 40 foot in width Permanent Easement described above in paragraph "A"

2. The following described 10 foot Permanent Easement affecting Lots 6 thru 12 inclusive of Kruge Place Addition, as recorded in Plat Book 20, page 95; more particularly described as follows:

Permanent Easement:

A 10 foot in uniform width easement immediately West of and adjacent to the East property line of said Lots 6 thru 12 inclusive of said Kruge Place Addition.

3. The following described Permanent Easement affecting Lots 15 thru 22 inclusiv of Savoie's Subdivision as recorded by Plat Book 24, page 68; more particularly described as follows:

Permanent Eastment:

A. A 10 foot in uniform width easement lying immediately East of and adjacent

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Gloria J. Gaglein
AUDITOR OF ALLEN COUNTY

Ken - 7061

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to the West property line of said Lots 15 thru Lot 22 inclusive.

4. The following described Permanent and Temporary Easements within Lots 13 and 14 of Savoie's Subdivision as recorded in Plat Book 24, page 68; more particularly described as follows:

Permanent Easement:

A. A 10 foot in uniform width easement lying South of and adjacent to the North property line of said Lots 13 and 14 at said subdivision.

Temporary Easement:

A. A 10 foot in uniform width easement lying immediately South of and adjacent the aforementioned Permanent Easement.

5. The following described Permanent Easement on space now or formerly owned by Steven T. Kinder as recorded by Instrument 78-5987 more particularly described as follows:

Permanent Easement:

A. The West 10 feet of the above described space.

6. The following described Permanent Easement on Lot No. 12 of Savoie's Subdivision as recorded in Plat Book 24, Page 68; more particularly described as follows:

Permanent Easement:

A. The North 10 ft. of the East 62 ft. of said Lot No. 12.

6A. Part of Lot No. 3 Grandview Place Addition to the City of Fort Wayne as platted and recorded in Plat Book 7-B, Pag 109 in the Allen County Recorder's Office, and being described as follows:

Permanent Easement:

Commencing at a point on the Northeast corner of Lot No. 3, Grandview Place Addition; thence South along the East line of said lot a distance of 1319 ft to the Southeast corner of said Lot; thence West along the South line of said Lot a distance of 10 ft., said point being within the right-of - way of Kruge Drive in Kruge Place Addition as platted and recorded in Plat Book 20, Page 95, in the Allen County Recorder's Office; thence North along and within said Kruge Drive a distance of 1319 ft. to the centerline of Lower Huntington Road, being the North line of said Lot No. 3, Grandview Place Addition; thence East along the North line of said lot No. 3 a distance of 10 ft. to the place of beginning.

7. The following described Permanent Easement on space now or formerly owned by Orchard Ridge Country Club as recorded in Deed Book 383, page 130, more particularly described as follows:

Permanent Easement:

A. Beginning at a point in the centerline of the Lower Huntington Road normally distant 176.5 feet West of the North and South centerline of Section 32, Township 30 North, Range 12 East; thence South parallel with the said centerline 46 feet; thence Northeasterly parallel with the centerline of the Lower Huntington Road to a point on the West property line of Lot #6 in Grandview Place Addition as recorded in Plat Book 7-B, page 109; thence North along the West line of said Lot #6 to a point in the centerline of Lower Huntington Road; thence West along said centerline to the Place of Beginning.

8. The following described Permanent and Temporary Easement on space now or formerly owned by Ralph E. Meyer as recorded by Instrument 74-8281: more particularly described as follows:

Permanent Easement:

A. Beginning at a point on the South line of the Southeast Quarter Section 29 Township 30 North, Range 12 East, said point being situated on the West property line of said space, 450.0 feet East of the Southwest corner of said Quarter Section; thence North 40 feet along said West property line; thence East, 40 feet North of and parallel to the South line of the Southeast one quarter of Section 29, Township 30 North, Range 12 East, 100.0 feet to the East property line; thence South 40.0 feet to the aforementioned South line of the said Quarter

Section; thence West 100.0 feet along said South line of the Place of beginning.

Temporary Easement:

A. A 15 foot in uniform width easement lying immediately North of and adjacent to the aforementioned Permanent Easement.

9. The following described Permanent and Temporary Easement on space now or formerly owned by William A. Dalman as recorded in Deed Book 661, page 155; more particularly described as follows:

Permanent Easement:

A. Beginning at a point on the South line of the Southeast Quarter Section 29, Township 30 North, Range 12 East, said point being situated 350.0 feet East of the Southwest corner of said Quarter Section; thence North 40.0 feet along the West property line; thence East, 40 feet North of and parallel to the South line of the Southeasterly one quarter of Section 29, Township 30 North, Range 12 East, to the East property line of said space; thence South 40 feet along said East property line to the aforementioned South line of said Quarter Section; thence West 100.00 feet along said South line of the said Quarter Section of the Place of Beginning.

Temporary Easement:

A. A 15 foot in uniform width easement lying immediately North of and adjacent to the aforementioned Permanent Easement.

10. The following described Permanent and Temporary Easement on space now or formerly owned by Ruth L. Schoenemann as recorded in Deed Book 365, page 76; more particularly described as follows:

Permanent Easement:

A. Beginning at the South Quarter corner of Section 29, Township 30 North, Range 12 East; thence North 2°43 West, along the North/South centerline of Section 29 a distance of 40 feet; thence East on a line parallel to the South line of Section 29 a distance of 352 feet to the common property line with space now or formerly owned by William A. Dalman as recorded in Deed Book 661, page 155; thence South along said property line a distance of 40 feet to the South line of Section 29; thence South 88°35' West along said South Section line a distance of 352.0 feet to the Place of Beginning.

Temporary Easement:

A. A 15 foot in uniform width easement lying immediately North of and adjacent to the aforementioned Permanent Easement.

11. The following described Permanent Easement on space now or formerly owned by Ruth L. Schoenemann as recorded by Instrument 67-11457; more particularly desscribed as follows:

Permanent Easement:

A. Beginning at the Southeast corner of the Southwest Quarter Section 29, Township 30 North, Range 12 East, said corner also being on the centerline of Lower Huntington Road; thence South 86°11 West along said centerline 738.5 feet; thence South 74°41' West along said centerline 232.0 feet to the West property line of said space; thence North 3°30' West 40.9 feet normally distant from and along West property line; thence North 74°41 East on a line 40 feet normally distant from and parallel with the centerline of Lower Huntington Road a distance of 232.0 feet; thence North 86°11' East to the East line of said Southwest Quarter Section 29; thence South along said East Quarter Section line to the Point of Beginning.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana as approved in 1967; more particularly I.C. 18-1.5-5 and 14, I.C. 18-1-7-1 to 11, and the provisions of all acts amendatory thereto and supplemental thereof.

All land affected lies within part of the South half of Section 28 and 29 and the North half Section 32, Township 30 North, Range 12 East.

The temporary sewer easements shall expire one year from the date of adoption.

ADOPTED THIS 2nd DAY OF July, 1979.

BOARD OF PUBLIC WORKS:

BY: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

BY: Ethel H. LaMar
Ethel H. LaMar, Member

BY: Max G Scott
Max G Scott, Member

ATTEST:

Ursula Miller
Ursula Miller, Clerk

Reference Sewer Improvement Resolution No. 302-78

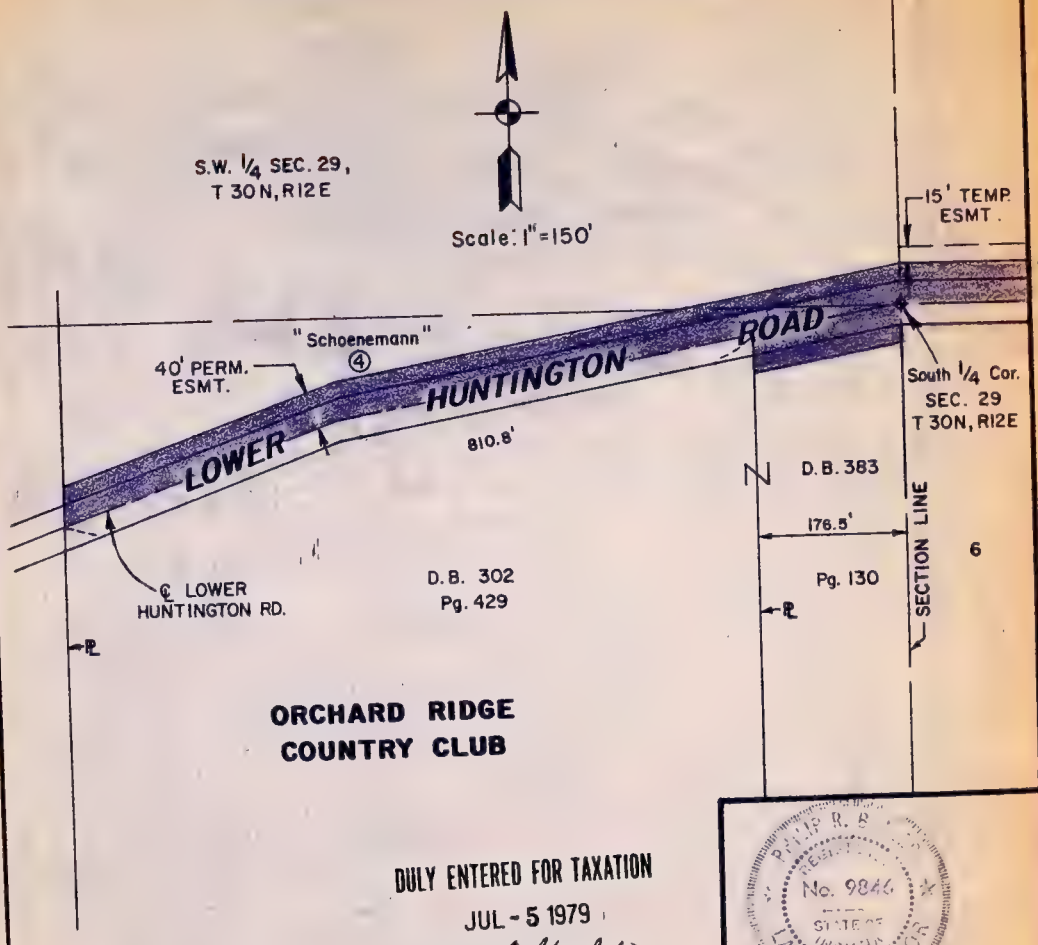
Prepared by Philip R. Boller

PRB:bp

KRUGE PLACE SANITARY SEWER

EASEMENT NO. 161-78

PERMANENT & TEMPORARY EASEMENTS



DULY ENTERED FOR TAXATION

JUL - 5 1979

Gloria J. Gaglein
AUDITOR OF ALLEN COUNTY

PHILIP R. B... REGISTERED No. 9846 STATE OF INDIANA LAND SURVEYOR

P.R. Boller Dec. 7, 1978

P.R. BOLLER
L.S. 9846

Ref. Sewer Improvement Res. 302-78

SHEET 2 OF 2

KRUGE PLACE SANITARY SEWER

EASEMENT NO. 161-78

PERMANENT & TEMPORARY EASEMENTS

Scale 1"=150'

"Schoenemann" ④ — 45' PERM. EASE. — 40' PERM. EASE.

"Schoenemann" ③ D.B. 365, Pg. 76

"Dalman" — "Meyer" — "Spy Run Development"

15' TEMP. ESMT.

"Isabelle T. May" ②

"May" ①

"L. D. Gerig" — "V. & E.I. Genth" — "J. & N.T. Adams" — "H. & H.J. Hoke"

"Isabelle T. May" ⑦

I. May ⑤ — I. May ⑧ — I. May ⑥

"Portage Creek Camp Assoc."

ARDMORE AVENUE

E. LINE SEC. 29 T30N, R12E

350.0' — 100.0' — 100.0' — 657.68' — 100.0' — 165.0' — 165.0' — 250.0' — 123.75'

LOWER HUNTINGTON ROAD

℄ LOWER HUNTINGTON RD.

South 1/4 Corner Sec. 29 T30N, R12E

Orchard Ridge Country Club

100.0' — 100.0' — 92.0' — 92.0' — 92.0' — 92.0' — 92.0' — 158.0' — 40 — 146.0' — 50 — 110.0' — 90.0' — 105.0' — 175.5'

1.32'

Prop. 10' Perm. Esmt. — 192.5'

303.0'

Not Platted — 23 — "Kenneth L. Emlich" — "P.E. & R.H. Smith"

"Clara C. Quinn"

E. LINE SEC. 32 T30N, R12E

"Kinder"

6 — 5 — 4 — 3 — 2 — 1

PLACE DRIVE — SAVOIES ADD. — KILBOURN DRIVE — SUBDIVISION

2 — 3 — 4 — 5 — 6 — 7 — 8 — 9 — 10 — 11 — 12 — 13 — 14 — 15 — 16 — 17 — 18 — 19 — 20 — 21 — 22

100.0' — 99.0' — 37' — 62' — 99.0' — 99'

10' PERM. EASE. — 10' PERM. EASE. — 10' PERM. EASE. — 10' TEMP. EASE.

KRUGE — RURODE LANE

1.32'

6 — 5 — 4 — 1

LOCATION

N.E. 1/4 SEC. 32
T30N, R12E

LEGEND

Proposed Perm. Easement

Proposed Temp. Easement

Ref. Sewer Improvement Ref. 302-78

PHILIP R. BOLLER REGISTERED No. 9846 STATE OF INDIANA LAND SURVEYOR

Dec 7, 1978

P.R. Boller
L.S. 9846

City Pack

167-209-10 H.I.
6/27/79

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5844 -1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Enola Court - From the north curb line of Ojibway Trail to the southern terminus of Enola Court.

2. Opechee Way - From the east curb line of Meda Pass to the west curb line of Wawonaissa Trail.

3. Juliette Avenue - From the south curb line of Brown Street to the north curb line of Hale Avenue.

4. High Street - From the west curb line of Sherman Boulevard to the east curb line of Runnion Avenue.

5. Edenton Drive - From the north property line of Lot #24 Westmoor Ext. Addition to its northern terminus.

6. Creston Lane - From the west property line of North Glendale Drive to the east curb line of Edenton Drive.

7. Dresden Lane - From the west property line of North Glendale Drive to the east curb line of Edenton Drive.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 27th day of June, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST: Ursula Miller
Clerk

67-207-36 H.I. 6/25/79

AGREEMENT

This Agreement, made and entered into this 25th day of June, 1979, by and between the City of Fort Wayne, Indiana, hereinafter called the Owner, and the engineering firm of Reid, Quebe, Allison, Wilcox and Associates, Inc., hereinafter called the Engineer.

WITNESSETH: That

WHEREAS, the Owner has completed an Infiltration/Inflow Analysis, and;

WHEREAS, the Owner has a Sewer System Evaluation Survey in progress, and under Grant No. C-180775-01, and

WHEREAS, the Owner desires to file a Combined Sewer Overflow Facility Plan in accordance with the Environmental Protection Agency PRM 75-34, and

WHEREAS, this Combined Sewer Overflow Facility Plan is specified in the Grant Amendment to the SSES which has been filed with EPA for the funding of this project,

NOW THEREFORE, the Owner and the Engineer for the consideration hereinafter set forth, agree as follows:

I. ENGINEER'S SCOPE OF WORK

1.1 The Engineer will perform the services as described in the Plan of Study of the Combined Sewer Overflow Facility Plan for the City of Fort Wayne which has been submitted to the Environmental Protection Agency Region 5.

1.2 The Engineer will aid the Owner in preparing, if necessary, an Addendum to the Plan of Study of the Combined Sewer Overflow Facility Plan.

II. OWNER'S RESPONSIBILITIES

2.1 To assist the Engineer in the conduct of his work, the Owner agrees to provide the following services.

2.1.1 The Owner will provide the Engineer the following data:

Sewer Maps
Zoning and/or Land Use Maps
Aerial Photos
Infiltration-Inflow Analysis Reports
and all Raw Supporting Data
Sewer System Evaluation Survey Reports
and all Raw Supporting Data
Combined Sewer Overflow Research Studies
and all Raw Supporting Data
River Quantity and Quality Data Collected
by the City
Plant Flow and Quality Data

and any other technical data available to the City or available in City files which is pertinent to the Study.

2.1.2 Review all reports and documents at the Owner's earliest convenience so as not to unduly delay the Work of the Engineer.

2.1.3 Provide such reports, plans of existing sewers and wastewater treatment facilities and other data, including water and sewage flows, as may be available to the Engineer so that the Engineer can proceed with the Work in the most efficient manner.

2.1.4 Make necessary provisions so that the Engineer has access to and can enter upon public and private lands to perform work required by the Project.

2.1.5 The Owner will hold all meetings and Public Hearings required during the Project.

III. PAYMENTS DUE THE ENGINEER

3.1 In compensation for services rendered, the Owner will make payments to the Engineer by a cost plus fixed fee manner as hereinafter set forth.

3.2 The Engineer will be paid a sum not to exceed $1,000.00 for aiding the Owner if necessary in preparing an Addendum to the Plan of Study of the Combined Sewer Overflow Facility Plan.

3.3 Payments to the Engineer for the work performed under Section I subparagraph 1.1 will not exceed $308,124.00.

3.4 Payments to the Engineer are estimated not to exceed the following amounts:

	Total
Amended Plan of Study (if necessary)	$ 1,000.00
Professional Service	$264,234.00
Reimbursables	$ 4,700.00
Fixed Fee	$ 40,190.00
Total	$309,124.00

3.5 Payment to the Engineer will be processed not more frequently than monthly in amounts greater than $1,000.00 and the Owner reserves the right to retain fifteen (15) percent of any invoiced amount until the work has been certified by the Indiana Stream Pollution Control Board to the US EPA. Any amount retained shall be retained in escrow and shall be deposited in an interest bearing account by the Owner at a bank of the Engineer's choice, the interest on said account to accrue to the Engineer.

3.6 Payment will be on the hourly rate paid to the Engineer's employees times an overhead multiplier for each hour the employees are engaged in work on the Project.

3.7 The payroll multiplier has been developed by an audit utilizing EPA guidelines and will be 2.305 for this Project.

3.8 The Engineer will be paid a fixed fee of $40,190.00.

3.9 In addition to actual cost incurred, a portion of the fixed fee may be invoiced monthly. The amount of the fixed fee billed monthly will be determined by taking a ratio, the numerator of which is the total cost incurred to date and the denominator of which is the estimated total cost as shown in 3.3 and multiplying it against the total fixed fee shown in 3.8 and subtracting that from any previous payments against fixed feed.

Any fixed fee not billed by June, 1981 will be due as a lump sum upon the receipt of an invoice to the Owner.

IV. SUCCESSORS AND ASSIGNMENTS

4.1 The Agreement and all of the covenant hereof, shall insure to the benefit of and be binding upon the Owner and the Engineer respectively and its successors, assigns and legal representatives. The Engineer shall have the right to assign, transfer or sublet its interest or obligations hereunder only upon written consent of the Owner.

V. OWNERSHIP OF DOCUMENTS

5.1 All original tracings, specifications, reports, computer program, raw data and other documents developed in the performance of this Agreement shall be and remain the sole property of the Owner. With respect thereto, the Engineer shall have the right to retain copies of its work product.

VI. DESIGN CREDIT

6.1 Proper credit will be given the Engineer for all renderings, photographs, reports or other items prepared by the Engineer which are released by the Owner for publicity or other reasons.

VII. EXTENT OF SUBCONTRACTING

7.1 It is anticipated that subconsultants will be utilized for computer modeling, laboratory analysis, survey, and archaelogical survey.

VIII. APPENDIX C-1

8.1 Appendix C-1 of 40 CFR, Part 35, Subpart E is included herein by reference and is attached as Attachment A.

IX. TERMINATION OF AGREEMENT

9.1 This Agreement may be terminated by either party by thirty (30) days written notice in the event of substantial failure to perform in accordance with the terms of this Agreement by the other party through no fault of the terminating party. If this Agreement is terminated, the Engineer shall be paid for services performed to the termination notice date, including reimbursable expenses, due at the hourly rate of the employee or employees times the multiplier as set forth in Articles 4.1.2 and 4.1.3 plus proportionate amount of fixed fee.

X. NON-DISCRIMINATION

10.1 The Engineer shall not discriminate against any employee or applicant for employement to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment of any matter directly or indirectly related to employment, because of his race, color, religion, national origin or ancestory. The Engineer is an equal opportunity employer and has a current affirmative action plan. Breach of this covenant may be regarded as material breach of this Agreement.

Adequate documentation must be submitted by the Engineer to the Owner with each invoice that the goals of the Resolution of the City of Fort Wayne dated February 22, 1979 to encourage the increased participation of minority business enterprises are being met.

XI. ENGINEER CERTIFICATION

11.1 The Engineer warrants that no person or company has been employed or retained to solicit or secure said Agreement upon a promise or understanding for a commission, percentage, brokerage or contingent fee, excepting bonafide employees; nor has the Engineer paid or agreed to pay any person, company or corporation, other than a bonafide employee, any fee, commission, contribution, donation, percentage, gift, or any other consideration, contingent upon or resulting from award of said Agreement. For any breach or violation of this representation, the Owner shall have the right to terminate said Agreement without liability and to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration and any other damages.

11.2 The Engineer agrees to be subject to the duties of the Owner relating to rights in data and copyrights contained in 40 CFR 30.530 May 8, 1976.

XII. PERSONNEL AND FACILITIES NECESSARY TO ACCOMPLISH THE WORK

12.1 The Engineer has the personnel and facilities necessary to complete the Work as described in Section 1 Subparagraph 1.1 in the required time.

XIII. TIME FOR COMPLETION OF THE WORK

13.1 The Work will be completed within 14 months after receipt of a Notice to Proceed.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and set their hands below.

ENGINEER
Reid, Quebe, Allison,
Wilcox and Associates, Inc.

Robert T. Reid, President

OWNER
City of Fort Wayne, Indiana
Board of Public Works

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Max G. Scott

ATTESTED:

William F. Quebe,
Secretary-Treasurer

ATTACHMENT A

lems in accordance with these guidelines. Such user charge systems shall also be incorporated in the appropriate municipal legislative enactments or other appropriate authority.

(c) *Model user charge systems.* The user charge system adopted by the applicant must result in the distribution of treatment works operation and maintenance costs to each user (or user class) in approximate proportion to his contribution to the total wastewater loading of the treatment works. The following user charge models can be used for this purpose; however, the applicant is not limited to their use. The symbols used in the models are as defined below:

C_T = Total operation and maintenance (O. & M.) costs per unit of time.
C_u = A user's charge for O. & M. per unit of time.
C_s = A surcharge for wastewaters of excessive strength.
V_t = O&M cost for transportation and treatment of a unit of wastewater volume.
V_u = Volume contribution from a user per unit of time.
V_T = Total volume contribution from all users per unit of time.
B_t = O&M cost for treatment of a unit of biochemical oxygen demand (BOD).
B_u = Total BOD contribution from a user per unit of time.
B_T = Total BOD contribution from all users per unit of time.
B = Concentration of BOD from a user above a base level.
S_t = O&M cost for treatment of a unit of suspended solids.
S_u = Total suspended solids contribution from a user per unit of time.
S = Concentration of SS from a user above a base level.
P_t = O&M cost for treatment of a unit of any pollutant.
P_u = Total contribution of any pollutant from a user per unit of time.
P_T = Total contribution of any pollutant from all users per unit of time.
P = Concentration of any pollutant from a user above a base level.

(1) *Model No. 1.* If the treatment works is primarily flow dependent or if the BOD, suspended solids, and other pollutant concentrations discharged by all users are approximately equal, then user charges can be developed on a volume basis in accordance with the model below:

$$C_u = C_T/V_T(V_u)$$

(2) *Model No. 2.*—When BOD, suspended solids, or other pollutant concentrations from a user exceed the range of concentration of these pollutants in normal domestic sewage, a surcharge added to a base charge, calculated by means of Model No. 1, can be levied. The surcharge can be computed by the model below:

$$C_s = [B(B) + S_t(S) + P_t(P)]V_u$$

(3) *Model No. 3.*—This model is commonly called the "quantity/quality formula"

$$C_u = V_tV_u + B_tB_u + S_tS_u + P_tP_u$$

(h) *Other considerations.*—(1) Quantity discounts to large volume users will not be acceptable. Savings resulting from economies of scale should be apportioned to all users or user classes.

(2) User charges may be established based on a percentage of the charge for water usage only in cases where the water charge is based on a constant cost per unit of consumption.

APPENDIX C-1—REQUIRED PROVISIONS—CONSULTING ENGINEERING AGREEMENTS

1. General
2. Responsibility of the Engineer
3. Scope of Work
4. Changes
5. Termination
6. Remedies
7. Payment
8. Project Design
9. Audit; Access to Records
10. Price Reduction for Defective Cost or Pricing Data
11. Subcontracts
12. Labor Standards
13. Equal Employment Opportunity
14. Utilization of Small or Minority Business
15. Covenant Against Contingent Fees
16. Gratuities
17. Patents
18. Copyrights and Rights in Data

1. GENERAL

(a) The owner and the engineer agree that the following provisions apply to the EPA grant-eligible work to be performed under this agreement and that such provisions supersede any conflicting provisions of this agreement.

(b) The work under this agreement is funded in part by a grant from the U.S. Environmental Protection Agency. Neither the United States nor the U.S. Environmental Protection Agency (hereinafter, "EPA") is a party to this agreement. This agreement which covers grant-eligible work is subject to regulations contained in 40 CFR 35.936, 35.937, and 35.939 in effect on the date of execution of this agreement. As used in these clauses, the words "the date of execution of this agreement" mean the date of execution of this agreement and any subsequent modification of the terms, compensation or scope of services pertinent to unperformed work.

(c) The owner's rights and remedies provided in these clauses are in addition to any other rights and remedies provided by law or this agreement.

2. RESPONSIBILITY OF THE ENGINEER

(a) The engineer shall be responsible for the professional quality, technical accuracy, timely completion, and the coordination of all designs, drawings, specifications, reports, and other services furnished by the engineer under this agreement. The engineer shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in his designs, drawings, specifications, reports, and other services.

(b) The engineer shall perform such professional services as may be necessary to accomplish the work required to be performed under this agreement, in accordance with this agreement and applicable EPA requirements in effect on the date of execution of this agreement.

(c) The owner's or EPA's approval of drawings, designs, specifications, reports, and incidental engineering work or materials furnished hereunder shall not in any way relieve the engineer of responsibility for the technical adequacy of his work. Neither the owner's nor EPA's review, approval or acceptance of, nor payment for, any of the services shall be construed to operate as a waiver of any rights under this agreement or of any cause of action arising out of the performance of this agreement.

(d) The engineer shall be and shall remain liable, in accordance with applicable law, for all damages to the owner or EPA caused by the engineer's negligent performance of any of the services furnished under this agreement, except for errors, omissions or other deficiencies to the extent attributable to the owner, owner-furnished data or any third party. The engineer shall not be responsible for any time delays in the project caused by circumstances beyond the engineeer's control. Where innovative processes or techniques (see 40 CFR 35.908) are recommended by the engineer and are used, the engineer shall be liable only for gross negligence to the extent of such use.

3. SCOPE OF WORK

The services to be performed by the engineer shall include all services required to complete the task or Step in accordance with applicable EPA regulations (40 CFR Part 35, Subpart E in effect on the date of execution of this agreement) to the extent of the scope of work as defined and set out in the engineering services agreement to which these provisions are attached.

4. CHANGES

(a) The owner may, at any time, by written order, make changes within the general scope of this agreement in the services or work to be performed. If such changes cause an increase or decrease in the engineer's cost of, or time required for, performance of any services under this agreement, whether or not changed by any order, an equitable adjustment shall be made and this agreement shall be modified in writing accordingly. The engineer must assert any claim for adjustment under this clause in writing within 30 days from the date of receipt by the engineer of the notification of change, unless the owner grants a further period of time before the date of final payment under this agreement.

(b) No services for which an additional compensation will be charged by the engineer shall be furnished without the written authorization of the owner.

(c) In the event that there is a modification of EPA requirements relating to the services to be performed under this agreement after the date of execution of this agreement, the increased or decreased cost of performance of the services provided for in this agreement shall be reflected in an appropriate modification of this agreement.

5. TERMINATION

(a) Either party may terminate this agreement, in whole or in part, in writing, if the other party substantially fails to fulfill its obligations under this agreement through no fault of the terminating party. However, no such termination may be effected unless the other party is given (1) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party before termination.

(b) The owner may terminate this agreement, in whole or in part, in writing, for its convenience, if the termination is for good cause (such as for legal or financial reasons, major changes in the work or program requirements, initiation of a new step) and the engineer is given (1) not less than ten (10) calendar days written notice (delivered by

certified mail, return receipt requested) of intent to terminate, and (2) an opportunity for consultation with the terminating party before termination.

(c) If the owner terminates for default, an equitable adjustment in the price provided for in this agreement shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the engineer at the time of termination may be adjusted to the extent of any additional costs the owner incurs because of the engineer's default. If the engineer terminates for default or if the owner terminates for convenience, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to the engineer for services rendered and expenses incurred before the termination, in addition to termination settlement costs the engineer reasonably incurs relating to commitments which had become firm before the termination.

(d) Upon receipt of a termination action under paragraphs (a) or (b) above, the engineer shall (1) promptly discontinue all services affected (unless the notice directs otherwise), and (2) deliver or otherwise make available to the owner all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as the engineer may have accumulated in performing this agreement, whether completed or in process.

(e) Upon termination under paragraphs (a) or (b) above, the owner may take over the work and prosecute the same to completion by agreement with another party or otherwise. Any work the owner takes over for completion will be completed at the owner's risk, and the owner will hold harmless the engineer from all claims and damages arising out of improper use of the engineer's work.

(f) If, after termination for failure of the engineer to fulfill contractual obligations, it is determined that the engineer had not so failed, the termination shall be deemed to have been effected for the convenience of the owner. In such event, adjustment of the price provided for in this agreement shall be made as paragraph (c) of this clause provides.

6. REMEDIES

Except as this agreement otherwise provides, all claims, counter-claims, disputes, and other matters in question between the owner and the engineer arising out of or relating to this agreement or the breach of it will be decided by arbitration if the parties hereto mutually agree, or in a court of competent jurisdiction within the State in which the owner is located.

7. PAYMENT

(a) Payment shall be made in accordance with the payment schedule incorporated in this agreement as soon as practicable upon submission of statements requesting payment by the engineer to the owner. If no such payment schedule is incorporated in this agreement, the payment provisions of paragraph (b) of this clause shall apply.

(b) The engineer may request monthly progress payments and the owner shall make them as soon as practicable upon submission of statements requesting payment by the engineer to the owner. When such progress payments are made, the owner may withhold up to ten (10) percent of the vouchered amount until satisfactory completion by the engineer of work and services within a step called for under this agreement. When the owner determines that the work under this agreement or any specified task hereunder is substantially complete and that the amount of retained percentages is in excess of the amount considered by him to be adequate for his protection, he shall release to the engineer such excess amount.

(c) No payment request made under paragraph (a) or (b) of this clause shall exceed the estimated amount and value of the work and services performed by the engineer under this agreement. The engineer shall prepare the estimates of work performed and shall supplement them with such supporting data as the owner may require.

(d) Upon satisfactory completion of the work performed under this agreement, as a condition precedent to final payment under this agreement or to settlement upon termination of the agreement, the engineer shall execute and deliver to the owner a release of all claims against the owner arising under or by virtue of this agreement, other than such claims, if any, as may be specifically exempted by the engineer from the operation of the release in stated amounts to be set forth therein.

8. PROJECT DESIGN

(a) In the performance of this agreement, the engineer shall, to the extent practicable, provide for maximum use of structures, machines, products, materials, construction methods, and equipment which are readily available through competitive procurement, or through standard or proven production techniques, methods, and processes, consistent with 40 CFR 35.936-3 and 35.936-13 in effect on the date of execution of this agreement, except to the extent to which innovative technology may be used under 40 CFR 35.908 in effect on the date of execution of this agreement.

(b) The engineer shall not, in the performance of the work under this agreement, produce a design or specification which would require the use of structures, machines, products, materials, construction methods, equipment, or processes which the engineer knows to be available only from a sole source, unless the engineer has adequately justified the use of a sole source in writing.

(c) The engineer shall not, in the performance of the work under this agreement, produce a design or specification which would be restrictive in violation of sec. 204(a)(6) of the Clean Water Act. This statute requires that no specification for bids or statement of work shall be written in such a manner as to contain proprietary, exclusionary, or discriminatory requirements other than those based upon performance, unless such requirements are necessary to test or demonstrate a specific thing, or to provide for necessary interchangeability of parts and equipment, or at least two brand names or trade names of comparable quality or utility are listed and are followed by the words "or equal." With regard to materials, if a single material is specified, the engineer must be prepared to substantiate the basis for the selection of the material.

(d) The engineer shall report to the owner any sole-source or restrictive design or specification giving the reason or reasons why it is necessary to restrict the design or specification.

(e) The engineer shall not knowingly specify or approve the performance of work at a facility which is in violation of clean air or water standards and which is listed by the Director of the EPA Office of Federal Activities under 40 CFR Part 15.

9. AUDIT; ACCESS TO RECORDS

(a) The engineer shall maintain books, records, documents, and other evidence directly pertinent to performance on EPA grant work under this agreement in accordance with generally accepted accounting principles and practices consistently applied, and 40 CFR 30.605, 30.805; and 35.935-7 in effect on the date of execution of this agreement. The engineer shall also maintain the financial information and data used by the engineer in the preparation or support of the cost submission required under 40 CFR 35.937-6(b) in effect on the date of execution of this agreement and a copy of the cost summary submitted to the owner. The U.S. Environmental Protection Agency, the Comptroller General of the United States, the U.S. Department of Labor, owner, and [the State water pollution control agency] or any of their duly authorized representatives shall have access to such books, records, documents, and other evidence for inspection, audit, and copying. The engineer will provide proper facilities for such access and inspection.

(b) The engineer agrees to include paragraphs (a) through (c) of this clause in all his contracts and all tier subcontracts directly related to project performance that are in excess of $10,000.

(c) Audits conducted under this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency(ies).

(d) The engineer agrees to the disclosure of all information and reports resulting from access to records under paragraphs (a) and (b) of this clause, to any of the agencies referred to in paragraph (a), provided that the engineer is afforded the opportunity for an audit exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report and that the final audit report will include written comments of reasonable length, if any, of the engineer.

(e) The engineer shall maintain and make available records under paragraphs (a) and (b) of this clause during performance on EPA grant work under this agreement and until 3 years from the date of final EPA grant payment for the project. In addition, those records which relate to any "Dispute" appeal under an EPA grant agreement, to litigation, to the settlement of claims arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until 3 years after the date of resolution of such appeal, litigation, claim, or exception.

10. PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA

(This clause is applicable if the amount of this agreement exceeds $100,000.)

(a) If the owner or EPA determines that any price, including profit, negotiated in connection with this agreement or any cost reimbursable under this agreement was increased by any significant sums because the engineer or any subcontractor furnished incomplete or inaccurate cost or pricing data

or data not current as certified in his certification of current cost or pricing data (EPA form 5700-41), then such price, cost, or profit shall be reduced accordingly and the agreement shall be modified in writing to reflect such reduction.

(b) Failure to agree on a reduction shall be subject to the remedies clause of this agreement.

(Note.—Since the agreement is subject to reduction under this clause by reason of defective cost or pricing data submitted in connection with certain subcontracts, the engineer may wish to include a clause in each such subcontract requiring the subcontractor to appropriately indemnify the engineer. It is also expected that any subcontractor subject to such indemnification will generally require substantially similar indemnification for defective cost or pricing data required to be submitted by his lower tier subcontractors.)

11. SUBCONTRACTS

(a) Any subcontractors and outside associates or consultants required by the engineer in connection with services under this agreement will be limited to such individuals or firms as were specifically identified and agreed to during negotiations, or as the owner specifically authorizes during the performance of this agreement. The owner must give prior approval for any substitutions in or additions to such subcontractors, associates, or consultants.

(b) The engineer may not subcontract services in excess of thirty (30) percent (or ——— percent, if the owner and the engineer hereby agree) of the contract price to subcontractors or consultants without the owner's prior written approval.

12. LABOR STANDARDS

To the extent that this agreement involves "construction" (as defined by the Secretary of Labor), the engineer agrees that such construction work shall be subject to the following labor standards provisions, to the extent applicable:

(a) Davis-Bacon Act (40 U.S.C. 276a—276a-7);

(b) Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333);

(c) Copeland Anti-Kickback Act (18 U.S.C. 874); and

(d) Executive Order 11246 (Equal Employment Opportunity);

and implementing rules, regulations, and relevant orders of the Secretary of Labor or EPA. The engineer further agrees that this agreement shall include and be subject to the "Labor Standards Provisions for Federally Assisted Construction Contracts" (EPA form 5720-4) in effect at the time of execution of this agreement.

13. EQUAL EMPLOYMENT OPPORTUNITY

In accordance with EPA policy as expressed in 40 CFR 30.420-5, the engineer agrees that he will not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin.

14. UTILIZATION OF SMALL AND MINORITY BUSINESS

In accordance with EPA policy as expressed in 40 CFR 35.936-7, the engineer agrees that qualified small business and minority business enterprises shall have the maximum practicable opportunity to participate in the performance of EPA grant-assisted contracts and subcontracts.

15. COVENANT AGAINST CONTINGENT FEES

The engineer warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees. For breach or violation of this warranty the owner shall have the right to annul this agreement without liability or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

16. GRATUITIES

(a) If it is found, after notice and hearing, by the owner that the engineer, or any of the engineer's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts, or otherwise), to any official, employee, or agent of the owner, of the State, or of EPA in an attempt to secure a contract or favorable treatment in awarding, amending, or making any determinations related to the performance of this agreement, the owner may, by written notice to the engineer, terminate the right of the engineer to proceed under this agreement. The owner may also pursue other rights and remedies that the law or this agreement provides. However, the existence of the facts upon which the owner bases such findings shall be in issue and may be reviewed in proceedings under the remedies clause of this agreement.

(b) In the event this agreement is terminated as provided in paragraph (a) hereof, the owner shall be entitled: (1) To pursue the same remedies against the engineer as it could pursue in the event of a breach of the contract by the engineer, and (2) as a penalty, in addition to any other damages to which it may be entitled by law, to exemplary damages in an amount (as determined by the owner) which shall be not less than 3 nor more than 10 times the costs the engineer incurs in providing any such gratuities to any such officer or employee.

17. PATENTS

If this agreement involves research, developmental, experimental, or demonstration work and any discovery or invention arises or is developed in the course of or under this agreement, such invention or discovery shall be subject to the reporting and rights provisions of subpart D of 40 CFR part 30, in effect on the date of execution of this agreement, including appendix B of part 30. In such case, the engineer shall report the discovery or invention to EPA directly or through the owner, and shall otherwise comply with the owner's responsibilities in accordance with subpart D of 40 CFR part 30. The engineer agrees that the disposition of rights to inventions made under this agreement shall be in accordance with the terms and conditions of appendix B. The engineer shall include appropriate patent provisions to achieve the purpose of this condition in all subcontracts involving research, developmental, experimental, or demonstration work.

18. COPYRIGHTS AND RIGHTS IN DATA

(a) The engineer agrees that any plans, drawings, designs, specifications, computer programs (which are substantially paid for with EPA grant funds), technical reports, operating manuals, and other work submitted with a step 1 facilities plan or with a step 2 or step 3 grant application or which are specified to be delivered under this agreement or which are developed or produced and paid for under this agreement (referred to in this clause as "Subject Data") are subject to the rights in the United States, as set forth in subpart D of 40 CFR part 30 and in appendix C to 40 CFR part 30, in effect on the date of execution of this agreement. These rights include the right to use, duplicate, and disclose such subject data, in whole or in part, in any manner for any purpose whatsoever, and to have others do so. For purposes of this clause, "grantee" as used in appendix C refers to the engineer. If the material is copyrightable, the engineer may copyright it, as appendix C permits, subject to the rights in the Government in appendix C, but the owner and the Federal Government reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use such materials, in whole or in part, and to authorize others to do so. The engineer shall include appropriate provisions to achieve the purpose of this condition in all subcontracts expected to produce copyrightable subject data.

(b) All such subject data furnished by the engineer pursuant to this agreement are instruments of his services in respect of the project. It is understood that the engineer does not represent such subject data to be suitable for reuse on any other project or for any other purpose. If the owner reuses the subject data without the engineer's specific written verification or adaptation, such reuse will be at the risk of the owner, without liability to the engineer. Any such verification or adaptation will entitle the engineer to further compensation at rates agreed upon by the owner and the engineer.

APPENDIX C-2—REQUIRED PROVISIONS—CONSTRUCTION CONTRACTS

SUPPLEMENTAL GENERAL CONDITIONS

1. General.
2. Changes.
3. Differing Site Conditions.
4. Suspension of Work.
5. Termination for Default; Damages for Delay; Time Extensions.
6. Termination for Convenience.
7. Remedies.
8. Labor Standards.
9. Utilization of Small or Minority Business.
10. Audit; Access to Records.
11. Price Reduction for Defective Cost or Pricing Data.
12. Covenant Against Contingent Fees.
13. Gratuities.
14. Patents.
15. Copyrights and Rights in Data.
16. Prohibition Against Listed Violating Facilities.
17. Buy American.

1. GENERAL

(a) The owner and the contractor agree that the following supplemental general provisions apply to the work to be performed under this contract and that these provisions supersede any conflicting provisions of this contract.

(b) This contract is funded in part by a grant from the U.S. Environmental Protec-

City Paid

67-204-20 H.I
6/25/79

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5843 - 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Poinsette Drive - From the west curb line of Cherokee Road to the south curb line of State Boulevard.

2. West State Boulevard - From the west property line of Tyler Avenue to the railroad crossing approach of the Grand Rapids and Indiana Railroad.

3. Colwyn Lane - From the south curb line of Marston Drive to a point 222 feet southwest thereof.

4. Marston Drive - From the south curb line of Warrick Avenue to a point 45 feet south of the south property line of Lyell Court.

5. Andrew Street - From the north curb line of Huffman Street to the south curb line of State Boulevard.

6. Cherokee Road - From the north property line of Spring Street to the southeast property line of Fairhill Road.

7. Ridgewood Drive - From the west curb line of Parnell Avenue to the east curb line of Newport Avenue.

8. Red Haw Drive - From the northwest curb line of Clinton Street to a point 1,160 feet north thereof.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 25 day of June, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott, Member

ATTEST: Ursula Miller
Clerk

Form 1929

67-204-17 H.I. 6/25/79

Improvement Resolution

FOR CURB AND SIDEWALK

No. 5842 - 79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve curbs, sidewalk and drive approaches along Edgehill Avenue and Westbrook Drive and Jacobs Avenue, more specifically identified as Lots 158 thru Lot 189 in Brookview Addition.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid as follows:

Sidewalks	75% Property Owner	25% City
Curbs	50% Property Owner	50% City
Drive Approaches	100% Property Owner	

Adopted, this 25 *day of* June, 1979

BOARD OF PUBLIC WORKS:

Ursula Miller

Henry P. Wilkenberg

Edward W. Carmony

Mary G. Scott

CALHOUN PRESS

67-200-15 H.I. 6/20/79

AGREEMENT BETWEEN
BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA,
AND THE FORT WAYNE REDEVELOPMENT COMMISSION
FOR THE DEVELOPMENT OF
THE CIVIC CENTER PARKING GARAGE

WHEREAS, the City of Fort Wayne has agreed to construct, finance, lease, operate and own an off-street parking facility with approximately 450 spaces in the central business district of the City of Fort Wayne, denominated the Civic Center Parking Garage, on the real estate located on the block bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated in the Civic Center Renewal Project as Block III; and

WHEREAS, the total cost of said project is estimated to be in the amount of $3,005,169.00; and

WHEREAS, it is contemplated that the project cost will be financed by an Urban Development Action Grant in the amount of $1,462,000.00, by issuance of off-street parking revenue bonds in the approximate amount of $1,000,000.00, and by proceeds from the sale of the leasehold interest for commercial space located in said garage; and

WHEREAS, the Fort Wayne Redevelopment Commission has determined that this project is necessary to revitalizing the central business district of downtown Fort Wayne, and the Commission will acquire Block III and prepare and assemble said real estate for construction of the Civic Center Parking Garage; and

WHEREAS, the Board of Public Works of the City of Fort Wayne has determined that the acquisition, construction, financing, operation and leasing of the off-street parking facility will promote public safety, convenience and welfare and aid in the policing of traffic in downtown Fort Wayne, and agrees to undertake and manage the construction, financing, leasing and operation of the Civic Center Parking Garage.

NOW, THEREFORE, it is agreed by and between the Board of Public Works of the City of Fort Wayne (hereinafter referred to as "Board") and the Fort Wayne Redevelopment Commission (hereinafter referred to as "Commission") as follows:

1. Conditioned upon the ability of the City of Fort Wayne to obtain an Urban Development Action Grant in the amount of $1,462,000.00, and conditioned upon the City of Fort Wayne issuing approximately $1,000,000.00 in off-street parking revenue bonds, the Board shall manage and cause to be

constructed on the block bordered by Jefferson, Clinton, Washington and Calhoun Streets and denominated as Block III of the Civic Center Renewal Project, a parking garage having approximately 450 spaces to be known as Civic Center Parking Garage.

2. The Fort Wayne Redevelopment Commission shall obtain title to the real estate in the name of the City of Fort Wayne for the use and benefit of its Department of Redevelopment to the following-described real estate:

> Beginning at the point of intersection of the northerly right-of-way line of Washington Boulevard and the easterly right-of-way line of Clinton Street; thence westerly along the northerly right-of-way line of Washington Boulevard to the westerly right-of-way line of Calhoun Street; thence southerly along the westerly right-of-way line of Calhoun Street to the southerly right-of-way line of Jefferson Street; thence easterly along the southerly right-of-way line of Jefferson Street to the easterly right-of-way line of Clinton Street; thence northerly along the easterly right-of-way line of Clinton Street to the point of beginning.

3. The Commission, upon completion of the acquisition of Block III and its preparation for the construction of the Civic Center Parking Garage, shall deliver possession of the north half of said real estate to the Board for the construction of said garage and such other uses as may be consistent with the Civic Center Renewal Plan.

4. The cost of the acquisition, relocation, demolition, engineering and inspection, public improvements and architect/engineering design fees, and all taxes, legal fees and recording fees incurred in assembling and preparing the real estate shall be paid by proceeds from the sale of revenue bonds and by proceeds from the sale of the leasehold interest for commercial space located in said garage. In the event funds are needed for the aforementioned activities prior to the issuance of revenue bonds and prior to the sale of the leasehold interest, the Redevelopment Commission shall pay for said costs from Redevelopment Bond proceeds subject to the Board's agreement of reimbursement as set forth in Paragrapha 7 and 8.

5. The Commission has entered into a contract for architectural services for the design and construction of the Civic Center Parking Garage with the firm of Martindale/Tourney/Gibson, Inc. Said contract contemplates that the Board shall be responsible for the construction phase of the project and the Board shall have the responsibility and right of directing the architect and contractors during said construction phase.

The City of Fort Wayne with the Board has agreed to issue revenue bonds in the approximate amount of $1,000,000.00 and the City of Fort Wayne will receive a UDAG Grant in the amount of $1,462,000.00, which said funds shall be applied to the cost of the construction of the off-street parking facility.

6. The Board agrees that it will lease space and air rights over the off-street parking facility, being the commercial space located at the western side of the parking garage. The Board, in consultation with the Commission shall prepare specifications for the terms and conditions of the sale of the leasehold interest for the commercial space within 60 days from the date of this agreement. The Board shall offer and conduct the sale of the leasehold interest for the commercial space within 120 days from the date of this agreement.

7. The Board agrees that conditioned upon receipt of a Letter of Credit from the Department of Housing and Urban Development in the amount of $1,462,000.00, and upon receipt of off-street revenue bond proceeds in the approximate amount of $1,000,000.00, the Board acting with the City of Fort Wayne shall reimburse the Commission from the off-street revenue bond proceeds any amounts which the Commission has paid from Redevelopment Bond proceeds, such reimbursement from off-street revenue bond proceeds not to exceed the sum of $262,000.00.

8. The Board agrees that in the event the Commission has been required to expend Redevelopment Bond proceeds in excess of $262,000.00, that conditioned upon the sale of the leasehold interest for the commercial space located in the garage, and in the event the proceeds from said sale exceed the amount required by the Board to pay the actual costs incurred in the construction of the Civic Center Parking Garage, the Board will pay the amount of the excess proceeds to the Commission as reimbursement to the Commission for its payment of project costs.

CITY OF FORT WAYNE, INDIANA
BY AND THROUGH ITS
BOARD OF PUBLIC WORKS

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

By: Ethel W. LaMar
Ethel H. LaMar, Member

By: Max G Scott
Max G Scott, Member

ATTEST:

By: Ursula Miller
Ursula Miller, Clerk,
Board of Public Works

FORT WAYNE REDEVELOPMENT COMMISSION

By: Leonard M Weinraub
Leonard M. Weinraub, President

ATTEST:

By: Robert W. Hutner
Robert W. Hutner, Secretary

67-199-1 H.I
6/20/79

AGREEMENT BETWEEN THE
CITY OF FORT WAYNE, INDIANA, AND
THE FORT WAYNE REDEVELOPMENT COMMISSION
FOR DEVELOPMENT OF THE
CIVIC CENTER PARKING GARAGE

WHEREAS, the City of Fort Wayne desires to construct, finance, lease, operate and own an off-street parking facility consisting of a multi-story parking garage in the central business district of the City of Fort Wayne, denominated the Civic Center Parking Garage, on the real estate located on the block bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated in the Civic Center Renewal Project as Block III; and

WHEREAS, the total cost of the project is estimated to be Three Million Five Thousand One Hundred Sixty-Nine Dollars ($3,005,169.00); and

WHEREAS, the City of Fort Wayne has made application for an Urban Action Development Action Grant from the U. S. Department of Housing and Urban Development, seeking a federal grant in the amount of One Million Four Hundred Sixty-Two Thousand Dollars ($1,462,000.00) to assist in the development of said parking garage; and

WHEREAS, the City of Fort Wayne has, as a condition of said federal grant, promised to provide the additional funds necessary to the acquisition of said real estate and the construction of said parking garage; and

WHEREAS, the Fort Wayne Redevelopment Commission has determined that this project is necessary to revitalizing the central business district of downtown Fort Wayne and desires to assist in this project by acquiring and providing the land for the project, clearing the land, completing relocation, paying a portion of the architect's and engineering fees, assembling and making the land available to the Board of Public Works of the City for the garage construction through funds generated by the proceeds of bonds heretofore issued by the Fort Wayne Redevelopment Commission; and

WHEREAS, the Board of Public Works of the City of Fort Wayne has determined that the acquisition, construction, financing, operation and leasing of the off-street parking facility will promote public safety, convenience and welfare and aid in the policing of traffic in downtown Fort Wayne and desires to undertake the construction, financing, leasing and operation of the Civic Center Parking Garage.

NOW, THEREFORE, IT IS AGREED, by and between the City of Fort Wayne by and through its Board of Public Works (hereinafter referred to as the "Board") and the Fort Wayne Redevelopment Commission (hereinafter referred to as the "Commission") that:

1. Conditioned upon the ability of the City of Fort Wayne to obtain an Urban Development Action Grant in an amount not less than One Million Four Hundred Sixty-Two Thousand Dollars ($1,462,000.00), "the Board" shall construct or cause to be constructed on the block bordered by Jefferson, Clinton, Washington and Calhoun Streets and denominated Block III, a parking garage, having approximately 450 spaces to be known as the Civic Center Parking Garage.

2. The Fort Wayne Redevelopment Commission shall obtain title to the real estate in the name of the City of Fort Wayne for the use and benefit of its Department of Redevelopment to the following described real estate:

> Beginning at the point of intersection of the northerly right-of-way line of Washington Boulevard and the easterly right-of-way line of Clinton Street; thence westerly along the northerly right-of-way line of Washington Boulevard to the westerly right-of-way line of Calhoun Street; thence southerly along the westerly right-of-way line of Calhoun Street to the southerly right-of-way line of Jefferson Street; thence easterly along the southerly right-of-way line of Jefferson Street to the easterly right-of-way line of Clinton Street; thence northerly along the easterly right-of-way line of Clinton Street to the point of beginning.

3. The cost of acquisition, relocation and demolition of the north half of the captioned real estate together with the cost of engineering and inspection, public improvements and architect/engineering design fees, and all taxes, legal fees and recording fees incurred in said aforementioned activities in the approximate amount of Five Hundred Forth-Three Thousand One Hundred Sixty-Nine Dollars ($543,169.00) shall be paid by the Fort Wayne Redevelopment Commission. Upon completion of said acquisition, clearance, and relocation, possession of the real estate shall be delivered to the City of Fort Wayne for the construction of and use as an off-street parking facility and such other uses as may be consistent with the Civic Center Renewal Plan.

4. The City of Fort Wayne will issue revenue bonds in the approximate amount of One Million Dollars ($1,000,000.00) and conditioned upon receipt of a UDAG Grant in the amount of One Million Four Hundred Sixty-Two Thousand Dollars ($1,462,000.00), said funds shall be applied to the cost of the construction of an off-street parking facility of approximately 450 spaces.

Dated this 11th day of June, 1979.

CITY OF FORT WAYNE, INDIANA
BY AND THROUGH ITS
BOARD OF PUBLIC WORKS

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

By: Ethel W. LaMar
Ethel H. LaMar, Member

By: Max G Scott
Max G Scott, Member

ATTEST:

By: Ursula Miller
Ursula Miller, Clerk

FORT WAYNE REDEVELOPMENT COMMISSION

By: Leonard M. Weinraub
Leonard M. Weinraub, President

ATTEST:

By: Robert W. Hutner
Robert W. Hutner, Secretary

City Paid

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5841 -1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Masterson Avenue - From the west curb line of Calhoun Street to the east curb line of Prince Street.

2. Suttenfield Street - From the west curb line of Lafayette St. to the east curb line of Clinton Street.

3. Lumbard Street - From the south property line of Reynolds St. to the north curb line of New Haven Avenue.

4. Lumbard Street - From the north curb line of Pittsburg Street to the south pavement line of Molitor Street.

5. Lillie Street - From the south curb line of Creighton Avenue to the north curb line of Pontiac Street.

6. Pontiac Street - From the west curb line of Calhoun Street to the east curb line of Fairfield Avenue.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 13th day of June, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST: Ursula Miller
Secretary & Clerk

RESOLUTION NO. 67-189-14

A Declaratory Resolution of the Board of Public Works of the City of Fort Wayne, Indiana, for the acquisition, construction, financing, operation and leasing of an off-street parking facility.

WHEREAS, the Common Council adopted Resolution R-79- approving an off-street parking project, Civic Center Parking Garage, and authorizing the Board of Public Works to proceed pursuant to I.C. 19-5-11-1 with the acquisition, construction, financing, operation and leasing of an off-street parking facility located within the area in downtown Fort Wayne bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated Block III; and

WHEREAS, the Board of Works has caused plats and descriptions of the land to be acquired to be prepared; caused plans and drawings for the project to be prepared; and caused a general estimate of the cost of acquisition, construction and completion of the project to be prepared;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Upon investigation, it has been found necessary for the proper protection of the public safety and welfare, and to be of public utility and benefit to the City of Fort Wayne and its citizens, to construct and maintain the off-street parking facility located in the block bordered by Washington, Clinton, Jefferson and Calhoun Streets and more particularly described in the plats, descriptions, plans and drawings, which are hereby approved and made a part hereof as Exhibit "A"; and

SECTION 2. The Board of Works shall acquire the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson

and Calhoun Streets and shall reimburse the Fort Wayne Redevelopment Commission in the sum of $262,000.00 for a portion of the acquisition, demolition, relocation and architectural expense incurred by the Commission in connection with the Civic Center Parking Garage.

SECTION 3. The probable cost of the project is $3,005,169.00 to be financed by the proceeds of an Urban Development Action Grant from the U.S. Department of Housing and Urban Development in the amount of $1,462,000.00 and estimated estimated balance of the costs of the Civic Center Parking Garage in the sum of $1,543,169.00 has been committed to be provided by the City of Fort Wayne out of revenues from the Civic Center Parking Garage, from the proceeds of the sale of revenue bonds collateralized by revenues to be received from the Civic Center Parking Garage, by the pledge and/or hypothecation of all or any part of the revenue to be received by the City from the Indiana & Michigan Electric Company and Peoples Trust Bank leases, or any other leases located within the Civic Center Parking Garage, from the sale of leasehold space in the Civic Center Parking Garage, and/or from such other sources as the City Council shall from time to time deem appropriate.

SECTION 4. The Secretary of the Board is hereby instructed to give Notice of the adoption of this Resolution. Notice of the adoption of this Declaratory Resolution shall be published once each week for two weeks in two newspapers published in the City of Fort Wayne pursuant to I.C. 19-5-11-5 advising the public of the purpose of this resolution and that the plats, descriptions, plans, drawings and general estimate of cost, the proposed method of financing and the proposed lease of Indiana & Michigan Electric Company and Peoples Trust Bank are prepared and available for inspection in the Office of the Board of Public Works. On 12th

of July, 1979, at 3:30 p. m. in the Office of the Board, the Board will hear all persons interested in or affected by such proceeding and consider any remonstrances or objections filed and will finally determine the public utility and benefit of the project to the City and its citizens.

DATED this 13 day of June, 1979.

ATTEST:

Ursula Miller
Clerk

Henry P. Wehrenberg

Edward W. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

Bo. 79-79 67-165-18 H.I. 6/11/79

79- 21894

AGREEMENT

FOR

SEWER EXTENSION

S-114-79 7/10/79

THIS AGREEMENT made in triplicate this 11th day of June, 1979, by and between Macke Development Corp., by its President, Elmer H. Macke, hereinafter referred to as "Developer" and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "City", WITNESSETH:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

Pine Valley Country Club 12th Addition

Main #1

Beginning at an existing sanitary manhole located near the Southwest corner of lot #630 of said addition; thence, Northerly 260± L.F. along the West property line of said lot and lot #674 of said addition to a proposed manhole located near the Northwest corner of said lot #674; thence, Easterly 620± L.F. along the North property line of lot #620 thru #674 inclusive to proposed manhole located near the Northeast corner of lot #670 of said addition.

Lateral #1

Beginning at a existing sanitary sewer manhole located 5± L.F. west of and 5± L.F. north of the Southeast corner of lot #662 of said addition then Northerly 735± L.F. along the East property line of lot #662 thru lot #669 inclusive terminating at a proposed manhole 65± L.F. North of 5± L.F. West of the Southeast corner of Lot #669 of said addition.

79 JUN 24 PM 1:07 RECORDED ALLEN COUNTY RECORDER

All sewers consist of 1615± L.F. of 8-inch sanitary pipe in accordance with plans, specifications and profiles heretofore submitted to the City submitted to the City and now on file in the Office of the Chief Water Pollution Control Engineer of the City Utilities of the City, and known as PINE VALLEY COUNTY CLUB, 12TH ADDITION, which plans, specifications and profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the Developer has an interest, but also adjoining land areas.

WHEREAS, the entire cost of construction of said sewer is to be paid for by the Developer.

NOW THEREFORE, in consideration of the foregoing and the mutual convenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER.

The Developer shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the City, under

CALL SABAH 7061

6.5.V.W

private contract to be let within sixty (60) days after requisite City approval. All work and materials shall be subject to inspection by City and the right of City to halt construction if there shall be noncompliance therewith. Said sewer shall not be deemed permanently connected into the sewer system of City until final acceptance by City. Upon completion, said sewer shall become the property of City and City shall accept sewage therefrom, subject to such sewage service charges as may now or hereafter be regularly established by City, and all further maintenance thereafter shall be borne by City.

2. COST OF CONSTRUCTION

The Developer agrees to pay the entire cost and expense of construction of said sewer, in cash, including engineering and City inspection fees, and to hold the City harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the City will serve the following described real estate, to be platted as Pine Valley Country Club, 12th Addition.

> A parcel of land located in the East One-half of the Southwest One-quarter of Section 27, Township 32 North, Range 12 East, Allen County, Indiana more particularly described as follows:
>
> Commencing at the Southwest corner of the East One-half of the Southwest One-quarter of Section 27, Township 32 North, Range 12 East, Allen County, Indiana; thence due North along the East line of said East One-half a distance of 1,330 feet to the Point of Beginning.
>
> Beginning at the above-described point; thence continuing due North along the East line of said East One-half a distance of 285.00 feet; thence due East a distance of 285.00 feet; thence North 73 degrees 00 minutes 00 seconds East a distance of 170.00 feet; thence North 65 degrees 32 minutes 40 seconds East a distance of 170.00 feet; thence South 13 degrees 13 minutes 00 seconds East a distance of 185.00 feet; thence due South a distance of 805.18 feet; thence North 75 degrees 49 minutes 00 seconds West a distance of 34.20 feet; thence South 74 degrees 28 minutes 00 seconds West a distance of 325.00 feet to the Point of Beginning. Parcel contains 8.95 acres, more or less.

As the Developer will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and monthly sewage treatment charges as are customarily charged by the City for connections to City sewer mains and treatment of sewage therefrom.

4. CHARGE AGAINST AREA

An area connection charge of $475.00 per acre must be paid to City at the time of connection. This area connection charge represents the oversizing cost expended by City for sewer line in providing service to Pine Valley Country Club Subdivision, Eleventh Addition; said sewer being the St. Joe Interceptor.

5. BOND

This contract is subject to Developer furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

6. LIMITATION ON USE

Said sewer shall be constructed for disposal of sanitary sewage only, and neither the parties hereto, their successors, or assisgns or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water runoff caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

7. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The Developer, for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by him,as described in Article 3 herein, or hereafter served by said sewer or any extension thereof.

In further consideration and to induce City to execute and ratify this contract, said Developer, for himself, his successors and assigns, agrees by this contract to vest in City the permanent right at its discretion to annex to the City of Fort Wayne at any future time by duly authorize ordinanace the said real estate described in Article 3 herein.

Developer further agrees that any deed, contracts, or other instruments of conveyance made by the Developer, its successors or assigns, transferring or conveying any interest of title in and to any of the real estate described in Article 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the Developer, his successors and assigns by any grantee, vendee or contract purchaser, shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

The Developer further agrees to record any executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of City as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of City who connect into the sewer constructed hereunder shall be deemed

to thereby waive his, her, their, or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

8. COVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (I.C. 19-2-7-16, I.C 19-2-7-17, and I.C. I9-2-7-18), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

9. COUNCILMANIC APPROVAL

It is understood and agreed that this contract is in all respects subject to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOFF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER:

MACKE DEVELOPMENT CORP.

BY: Elmer H. Macke
Elmer H. Macke

Martha M Macke
Martha M. Macke, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Elmer H. Macke and Martha M. Macke, who acknowledged the execution of the foregoing agreement for sewer extension as and for his voluntary act and deed for the uses and purposes therein contained.

WINESS my hand and notarial seal this 21st day of May, 1979.

Sandra S. Deahl Notary Public

My Commission Expires:

September 18, 1979

Resident of Allen County, Indiana

CITY OF FORT WAYNE, INDIANA

By: Robert E. Armstrong
Robert Armstrong, Mayor

BOARD OF PUBLIC WORKS

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

By: Ethel H. LaMar
Ethel H. LaMar, Member

By: Max G Scott
Max G Scott, Member

ATTEST:

Ursula Miller
Ursula Miller, Clerk

Approved as to form and legality:

Associate City Attorney

ATTEST:

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State personally appeared Robert E. Armstrong, Henry P. Wehrenberg, Ethel H. LaMar and Max G Scott, known to me to be the Mayor, the members of the Board of Works of the City of Fort Wayne, Indiana, respectively, and acknowledge the foregoing contract to be the voluntary act and deed of said City.

WITNESS my hand and notarial seal this 11th day of June, 1979.

My Commission Expires 3/6/80

Anne J Fox
Notary Public

Anne J Fox

Resident of Allen County, Indiana

This instruemtn prepared by: Philip R. Boller, Chief Water Pollution Control Engineer

City Paid

62-184-15 H.I

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5840 -1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to improve by resurfacing and restoring pavement as designated on the following streets to be known as:

1. Bolton Drive - From the south curb line of Hastings Road to a point 150 feet ± south of Stafford Drive.

2. Vance Avenue - From the west property line of Glencairn Dr. to the west curb line of Devon Drive.

3. Vance Avenue - From the west curb line of Devon Drive to the west pavement line of Reed Road.

4. Bosworth Drive - From the north property line of Stafford Drive to the south property line of Hastings Road.

5. Kenwood Avenue - From the east property line of Beacon Street to the west property line of Carew Street.

6. Glenwood Avenue - From the west property line of Carew Street to the east property line of Rolston Street.

7. Alabama Avenue - From the south curb line of State Blvd. to the north curb line of Forest Avenue.

8. Forest Valley Drive - From the south property line of Forestwood Drive to a point 165 feet north of Forest View Drive.

9. Forest Valley Drive - From a point 75 feet ± south of Blairwood Drive to a point 215 feet north of Forest Downs Drive.

10. Forest Downs Drive - From the southwest property line of Forest Valley Drive to the northwest curb line of Forest Valley Drive.

11. Lake Forest Drive - From the south curb line of Forest Glen Court to the north property line of Lake Valley Court.

with Hot Asphalt Binder (as per design mix formula)
with Hot Asphalt Top Surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, from monies appropriated from Revenue Sharing Funds.

ADOPTED, this 11th day of June, 1979.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

ATTEST: Ursula Miller
Secretary & Clerk

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

95

67-181-19 H.I.

EMERGENCY RESOLUTION NO. 67-181-19

RE: Old Fort Wayne Visitors' Center and
Channel Improvement on St. Mary's River

WHEREAS, the Department of Natural Resources ordered the City of Fort Wayne/Historic Fort Wayne to either remove unauthorized structures from the floodway of the St. Mary's River or in the alternative to compensate for said restriction by excavating material from the west bank of said river; and

WHEREAS, the City of Fort Wayne/Historic Fort Wayne has received approval by the Department of Natural Resources, in the alternative to remove 1500 cubic yards of material from the west bank of the St. Mary's River; and

WHEREAS, under Common Council Resolution 86-74 the City accepted the responsibility to landscape and develop land on the west side of the St. Mary's River; and

WHEREAS, an Emergency exists to have this work completed by August 8, 1979; and

WHEREAS, the quotation of John Dehner, Inc. in the amount of $8,200 is the low bidder:

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency exists to have said work performed and orders a Purchase Order issued to John Dehner, Inc. for $8,200.

Approved this June 6, 1979.

A true copy is incorporated herein.

Henry P. Wehrenberg

Ethel V. Lamar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

Bo. 72-79 City Paid. 67-175-14 H.I. 6/4/79

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5833-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Main Street from Maiden Lane east to Calhoun Street consisting of widening and replacement of existing street with new concrete pavement, curbs, sidewalk, street lighting, storm sewers, and traffic signalization.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne Redevelopment Commission.

Adopted, this 4th *day of* June, 1979

ATTEST:

Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:

Henry P. Wiekenberg

Edward H. Lamar

Mary G. Scott

CALHOUN PRESS

67-171-3 H.I 5/31/79

BERNARD T. PERRY
Certified Public Accountant
SUITE 102
1815 NORTH MERIDIAN STREET
INDIANAPOLIS, INDIANA 46202
(317) 924-5543

May 17, 1979

Mr. Henry P. Wehrenberg, Chairman
Board of Public Works
City of Fort Wayne
City-County Building
Fort Wayne, Indiana

In re: Annual Sewer Rate Review
Fort Wayne Municipal Code
Chapter 24, Section 706

Dear Mr. Wehrenberg:

Pursuant to the above-referenced provision of the Fort Wayne Municipal Code, the writer has undertaken a review of the City's sewage service rate schedules taking into account the economic factors used to establish rates pursuant to Special Ordinance No. S-155-78 adopted by the Common Council of the City of Fort Wayne in September 1978. In addition we have been instructed in this review to consider certain rate adjustments to minimum charges; the equity of procedures by which flat charges are promulgated; and ordinance terminology relating to enforcement of sewer usage.

Our efforts in all of the foregoing were supplemented by concurrent budget and cash flow studies conducted by the City Utilities staff and its Superintendent, Mr. Edmund Stanczak.

We have reviewed the revenues and costs of the Water Pollution Control Utility for the years ended December 31, 1978 and 1977 and projections of Staff for the year ended December 31, 1979. We have also considered operating results of the Utility for the three months ended March 31, 1979 and the financial position of the Utility at March 31, 1979.

In support of our examination we have attached certain summary exhibits. In all compilation of costs we have used the same criteria to determine the probity of responsibility for costs between classes of users as used when rates were first established in Chapter 24 of the Fort Wayne Municipal Code in 1975. These data indicate total estimated user revenues and costs for the year ended December 31, 1979 are as follows:

Estimated Revenues	5,950,000
Estimated Costs	5,561,477
Estimated Excess of Costs to Revenues	388,523

Analysis of cash balances at March 31, 1979 is as follows:

Revenue Bond Sinking Fund	1,284,793
Requirement	(1,175,183)
Excess of Minimum	109,610
Operation and Maintenance Fund	921,266
Working Capital (60 days)	664,554
Excess of Minimum	256,712
Depreciation Fund (1)	2,631,148
Requirement	2,631,148
Excess of Minimum	-0-

(1) Net of Construction Account overdraft arising from EPA retention of grant funds.

If the same rate rationale is to be employed as in the 1978 rate adjustment, then you should note that there is $366,322 in excess funds over minimum requirements that could be borrowed to subsidize user charges - or, in effect, return earnings to users.

Distribution of any rate change initiated by the City should, in the opinion of the writer, first provide for all technical rate adjustments and then the application of remaining funds to a general across-the-board decrease. Any other approach to rate reduction would not be considered, in our opinion, as non-discriminatory pursuant to Indiana Code 8-1-2-96.

In order to carry out your stated rate rationale and to make other adjustments heretofore mentioned, the writer would suggest the following program for sewer rates in 1979:

Rate Action	Estimated User Effect	Estimated Annual Cost To Utility
1. Lower minimum for 5/8-3/4" meter to 500 cu. ft. per month.	Reduce average minimum user billings about $.40 per month	$ 105,000
2. Reduce flat charge usage to 1,000 cu. ft. for in-city users and 1,200 cu. ft. for out-city users.	Reduce flat charge user billings about $2.30 per month	33,000

Rate Action	Estimated User Effect	Estimated Annual Cost To Utility
3. Reduce user charges and strength of waste charges by 4% across-the-board	Average domestic user of 1,000 cu. ft. per month will have a bill reduction of about $.18 per month	$ 230,000
4. Add provision to Municipal Code making connection to sewerage system mandatory where such connection is available.	Make conformance to EPA standards mandatory	Not ascertainable
	Total Estimated Revenue Reduction	$ 368.000

In order to implement the foregoing changes to Chapter 24 of the Fort Wayne Municipal Code, if so determined to be the policy of the City, a draft of a proposed ordinance effecting such changes is enclosed.

If you have any questions, please advise.

Very truly yours,

Bernard T. Perry

BTP:em
Enc.

EXHIBIT A

FORT WAYNE WATER POLLUTION CONTROL UTILITY
Fort Wayne, Indiana

Calculation of Estimated Total Utility Costs
1979

Utility Cost	Source of Data	Amount
Net Operating Costs	Schedule A-1	$ 3,277,828
Debt Service (Local Capital Cost)	Combined amortization schedule for Revenue Bonds of 1959, 1961, 1970 and 1975 (August 1, 1979 principal and interest requirement)	1,068,348
Coverage on Debt Service (10%)(Local Capital Cost)	Indiana Code	106,835
Capital Expenditures	1979 WPC Capital Budget	1,108,466
Estimated Total Utility Costs - 1979		$ 5,561,477

SCHEDULE A-1

FORT WAYNE WATER POLLUTION CONTROL UTILITY
Fort Wayne, Indiana

Analysis of Operation and Maintenance
and Other Costs

	Calendar Year		
	Budget	Actual	
	1979	1978	1977
Operation Expense	2,963,142	2,731,509	2,478,554
Maintenance Expense	620,186	593,565	496,014
Taxes	135,000	125,524	114,424
Total Operating Expenses & Taxes	3,718,328	3,450,598	3,088,992
Contributions in Lieu of Taxes	332,000	331,104	320,982
Less: Other Income and Interest Income	(772,500)	(619,606)	(633,490)
Net Operating Costs	3,277,828	3,162,096	2,776,484

EXHIBIT B

FORT WAYNE WATER POLLUTION CONTROL UTILITY
Fort Wayne, Indiana

Balance Sheet
As of March 31, 1979

ASSETS AND OTHER DEBITS

Utility Plant	
Utility Plant in Service	$ 71,255,781
Less Accumulated Depreciation	(10,895,930)
Total Utility Plant	60,359,851
Construction Work in Progress	4,434,248
Net Utility Plant	64,794,099
Sinking Fund	1,284,793
Current and Accrued Assets	
Cash and Temporary Cash Investments	3,552,614
Accounts Receivable	5,639,169
Accumulated Provision for Uncollectible Accounts	(43,770)
Receivables from Associated Companies	23,782
Materials and Supplies	28,434
Prepaid Insurance	17,793
Interest Receivable	22,319
Total Current and Accrued Assets	9,240,341
Deferred Debits	
Miscellaneous Deferred Debits	88,693
TOTAL ASSETS AND OTHER DEBITS	$ 75,407,926

FORT WAYNE WATER POLLUTION CONTROL UTILITY
Fort Wayne, Indiana

Balance Sheet
As of March 31, 1979

LIABILITIES AND OTHER CREDITS

Equity of the Municipality and Retained Income	
Equity of Municipality	$ 8,642,700
Retained Income	
Balance Beginning of Year	8,037,543
Net Income (Loss)	69,963
Total Retained Income	8,107,506
Total Equity of the Municipality and Retained Income	16,750,206
Long-Term Debt	
Bonds	11,375,000
Other	89,857
Total Long-Term Debt	11,464,857
Current and Accrued Liabilities	
Current Portion - Long-Term Debt	370,000
Accounts Payable	133,838
Payable to Associated Companies	101,129
Taxes Accrued	41,720
Tax Collections Payable	29,561
Miscellaneous Current and Accrued Liabilities	110,587
Accrued Bond Interest Payable	114,351
Deferred Credits - Federal and State Grants	4,790,059
Operating Reserves - Miscellaneous	30,560
Total Current and Accrued Liabilities	5,721,805
Contributions in Aid of Construction	41,471,058
TOTAL LIABILITIES AND OTHER CREDITS	$ 75,407,926

67-171-3
5/31/79

BILL NO. S-97-06-13

SPECIAL ORDINANCE NO. S-100-79 5/31/79

AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to adjust rates and other provisions prescribed therein

WHEREAS, it is necessary to adjust the rates charged for use of the Water Pollution Control service owned and operated by the City for the benefit of its inhabitants and of the inhabitants of the surrounding area who take advantage of its existence, and to make it mandatory that all inhabitants make connection for said service where available;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, 1974 is amended to be and read as follows:

Article II. General Provisions

201. Bylaws, Rules and Regulations. The Board of Public Works of the City of Fort Wayne shall, in accordance with the Statutes of Indiana, make and enforce whatever bylaws, rules and regulations it may deem necessary for the safe, economical and efficient management of the City's Sewage Utility, for the construction and use of building sewers and connections to the sewerage system, for the regulation, collection and refunding of the rates and charges for sewerage service and, in general, for the implementation of the provisions of this ordinance.

202. Requirements for Connection to Public Sewers. No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained and until he has satisfied his obligation to pay all assessments, reimbursements or pro rata shares of sewer extension costs laid against that property for public sewers installed to serve it. A tap permit given in error shall not operate to nullify any such obligation that has been duly recorded.

Tap permits shall be obtained from the City's Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of thirty-five dollars for each tap permit for a normal six-inch service, a fee of seventy dollars for each tap permit for a special six-inch service and a fee of seventy dollars for each tap permit for a service larger than six inches. After making each sewer tap and building sewer installation, the tap contractor shall notify the Sewer Engineer so that the tap and the building sewer can be inspected and approved before the excavation is backfilled. Any tap or building sewer installation not made in accordance with the foregoing provisions shall be deemed an illegal installation and, upon discovery, shall be promptly disconnected at the expense of the property owner and shall remain disconnected until the provisions of this paragraph 202 have been complied with.

The Board of Public Works shall have the authority to require an owner of real property to disconnect from a building sewer which drains into a sanitary sewer any downspouts, yard drains or other drains which carry the runoff of natural precipitation. Property owners shall have thirty days after notice to comply with any such requirements.

New connections should be made only after there has been adequate assurance by City that the downstream facilities of the sewage works have adequate capacity to handle the new waste loadings.

No persons shall make connections of roof downspouts, exterior foundation drains, or other sources of surface run-off or ground water to a building sewer or building drain which is connected, directly or indirectly, to a sanitary sewer of the City.

Any and all private sewer systems of any kind now existing in or on premises where a public sewer is now or may hereafter become available shall be discontinued, emptied of its contents, cleaned out and be filled with earth or ashes, and the house sewer shall be disconnected from the existing private sewage system and be connected to the public sewer. All such connections to the public sewer shall be made within ninety days of the date the public sewer becomes available.

203. Extensions of Sewers Outside Corporate Limits. The installation, construction or extension of sewers by the City outside the corporate limits of the City and the connection or extension of sewers into the City's sewerage system from, by or for properties located outside such limits shall be prohibited, except upon prior approval by the Common Council of the City by duly enacted ordinance.

204. Connections to Sewerage System by Certain Out-of-City Properties. Notwithstanding the provisions of paragraph 203, the Board of Public Works of the City shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sewer which is part of the City's sewerage system, provided the property abuts, adjoins and is immediately contiguous to the street, alley or easement in which such sewer is located and provided the property owner or occupant has complied with the conditions set out in paragraph 202.

205. Violations and Penalties. Any person found to be violating or failing to comply with any of the provisions of paragraphs 202, 206, 301, 401 through 405, 501 through 503, 602 or 605 shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for its satisfactory correction. The offender shall, within the period of time stated in the notice, permanently cease all violations.

Any person who shall continue any violation beyond the stated time limit shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine in any amount not less than $100.00 and not more than $500.00. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of the paragraphs set out above and convicted thereof shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

206. Responsibility For City Property. No unauthorized person, firm, or corporation shall maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of or belonging to the Water Pollution Control Plant. Any person violating this provision shall be subject to immediate arrest under charge of a misdemeanor.

207. Amendment. The City of Fort Wayne reserves the right to amend this chapter of the Municipal Code, including the rates herein established, in part or in whole, as provided and permitted by the Statutes of Indiana, whenever it may deem it necessary.

ARTICLE VII. USER CHARGES

701. User Volume Charges

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

	Class of User	
	Domestic	Manufacturing
Treatment	17.1	17.1
Conveyance, Collection, Billing	16.6	10.8
Capital	10.7	8.1
Total User Charge	44.4	36.0

702. User Minimum Charges

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule exibited above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage.

Water Meter Size	Minimum Monthly Charge
5/8 - 3/4"	$ 2.22
1 - 1 1/2"	7.83
2"	15.98
3"	32.10
4"	53.36
6" or larger	148.21

703. User Flat Charges

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat Charge (1)	
	In-City	Out-City
Domestic User - Single Family Residence	$ 4.44	$ 5.33
Domestic User - Multi Family Residence	To be estimated by City	
Commercial and Industrial User	To be estimated by City	

(1) Subject in addition, if applicable, to zone surcharge. Estimates of monthly flat charges for multi-family residences shall be based on the number of family units accommodated by the system multiplied by the single family residence monthly charges. Estimates of monthly flat charges for commercial and industrial establishments shall be either estimated based on number of employees, manufacturing processes used and other pertinent sewer use indicators or based upon outfall measurements where available.

704. Regional Contract Sewage Treatment Charges

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

Volume Charge (cents per 100 cu. ft.)

Treatment	17.1
Capital Charge	10.7
	27.8

Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to that portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of $.50 and a monthly surveillance charge of $75.00.

Excess Strength of Waste Surcharge

In the event a contract customer contribution waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound
Suspended Solids - (SS)	3.587
Biochemical Oxygen Demand -(BOD)	3.582
Phosphorus - (P)	34.324

Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

Zone Surcharge

The total of foregoing charges for which any contract customer will be liable to City hereunder may be increased by the zone surcharge rate set forth in Article IX hereafter if said contract customer qualifies by reason of location.

Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by Chapter 24, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B (1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.905-8, 35.928-1 and 35.928-2, and 35.935-13.

705. Bulk Waste Charges

Industrial - For all industrial waste picked up from customer and hauled in City's vehicles to plant - $148.75 per load.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - $21.75 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

2. Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation, attributable to such class.

ARTICLE VIII. STRENGTH-OF-WASTES SURCHARGE

801. Liability for Surcharge

Each user discharging wastes into the sewerage system shall be subject to a strength of wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than as follows:

a. Biochemical oxygen demand of 220 milligrams per liter

b. Chemical oxygen demand of 440 milligrams per liter

c. Suspended solids content of 250 milligrams per liter

d. Phosphorus content of 10 milligrams per liter

802. Computation of Surcharge

The surcharge shall be determined as follows:

a. The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference betwen (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in paragraph 801. The surcharge for each constitutent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph 803. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

803. Rates of Surcharge

The rate of surcharge for each of the aforementioned constituents shall be as follows:

a. For biochemical oxygen demand - (BOD)	3.582 cents per pound
b. For suspended solids (SS)	3.587 cents per pound
c. For phosphorus (P)	34.324 cents per pound

804. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance, sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of $75.00 per discharge point.

805. Revision of Rates of Surcharge

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

67-170-28 HI 5/30/79

EMERGENCY RESOLUTION NO. 67-170-28

WHEREAS, a sewer collapsed behind 325 Field Street and an Emergency exists for its repair; and

WHEREAS, estimates for said repair were solicited from L. W. Dailey, Inc., John Dehner, Inc., and T - G Excavating, Inc.; and

WHEREAS, T - G Excavating, Inc. was low bidder in the amount of $4,660.00:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists for said repair and orders the General Superintendent of City Utilities to issue a Purchase Order to T - G Excavating, Inc. in the amount of $4,660.00 for said repair.

Approved this 30th day of May, 1979.

A true copy is incorporated herein.

Henry P. Wehrenberg

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

67-170-24 M.I

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and NORTHERN INDIANA PUBLIC SERVICE COMPANY hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of gas lines, gas services, and appurtenances located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed by their respective representatives duly authorized thereunto on this 14th day of May, 19 79.

ATTEST:

M. J. Mikulas
Secretary

NORTHERN INDIANA PUBLIC SERVICE COMPANY

BY: J. E. Williams
Vice President, Division Operations

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

ATTEST:

Ursula Miller
Ursula Miller, Clerk

5/30/79
Date

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott, Member

Memorandum

To Board of Works Date May 25, 1979

From Kenneth N. Traylor

Subject Utility Agreements - N&W Railroad Crossings

COPIES TO:

Project No. RRP-F104(1)
RRP-F248(1)
RRP-F776(1)
N&W Railroad Crossings Brooklyn, Nuttman, & VanBuren

Attached are two copies of executed Utility Agreement from NIPSCO, which is the last agreement needing to be signed by the Board in preparation for bid letting in August.

Kenneth N. Traylor

KNT:ms

Att.

67-170-24
5/30/79

Northern Indiana Public Service Company

1501 Hale Avenue
Fort Wayne, Indiana 46804
May 23, 1979

Mr. Kenneth N. Traylor
Engineering Department
City County Building Room 740
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Traylor:

Enclosed are two signed copies of the Utility Agreement that you requested. Please return one fully executed copy to us for our files.

If you have any further questions, please contact me.

Sincerely,

John F. Friedline
Engineering Supervisor

JFF:lra
Enclosure

cc: Mr. J. C. Bugg
Mr. D. W. Salmons

City Paid — 67-167-11 H I 5/30/79

Form 1929

Improvement Resolution

FOR STREET AND
FOR CURB AND SIDEWALK

No. 5831-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Hobson Road and Lake Avenue Intersection to provide left turn lane on Lake Avenue for northbound traffic on Hobson Road and to provide right turn lane on Hobson for westbound traffic on Lake Avenue; North side of Lake Avenue from 513± Ft. west of Hobson Road to 455± Ft. east of Hobson Road; west side of Hobson Road from north curb line of Lake Avenue to 400± Ft. north thereof.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by City of Fort Wayne.

Adopted, this 30th *day of* May, 1979

ATTEST:
Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:
Henry R. Wiekenberg
Edward J. LaMay

CALHOUN PRESS

67-167-10 H.I. 5/30/79

STREET LIGHTING RESOLUTION NO. 137-79

HARRISON HILL AREA

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to light the Harrison Hill Area, more specifically defined as Harrison Street from the north right-of-way Sherwood Terrace to the south right-of-way of Lexington Avenue, Hoagland Avenue from the north right-of-way of Pasadena Avenue to the south right-of-way of Lexington Avenue, South Cornell Circle from Hoagland Avenue to Calhoun Street, South Seminole Circle from Radial Lane to Calhoun Street, Radial Lane from Hoagland Avenue to its intersection with North and South Seminole Circle, North Seminole Circle from Radial Lane to Calhoun Street, North Cornell Circle from Hoagland Avenue to Lexington Avenue, Lexington Avenue from the east right-of-way of Hoagland Avenue to the west right-of-way of Calhoun Street, Harrison Boulevard from the north right-of-way of Lexington Avenue to the south right-of-way of Rudisill Boulevard, Branning Avenue from the first alley west of Harrison Boulevard to the west right-of-way of Calhoun Street, West Foster Parkway from the first alley west of Harrison Boulevard to the west right-of-way of Calhoun Street, Arlington Avenue from the north right-of-way of Pasadena Avenue to the south right-of-way of Rudisill Boulevard, Clermont Avenue from the first alley west of Arlington Avenue to the west right-of-way of Fairfield Avenue, Maxine Drive from the first alley west of Arlington Avenue to the west right-of-way of Fairfield Avenue, Maxine Drive from the west right-of-way of the first alley west of Hoagland Avenue to the west right-of-way of Hoagland Avenue, Lexington Avenue from the first alley west of Arlington Avenue to the west right-of-way of Fairfield Avenue, Branning Avenue from the first alley west of Arlington Avenue to the west right-of-way of Fairfield Avenue, West Foster Parkway from the first alley west of Arlington Avenue to the west right-of-way of Fairfield Avenue and Buell Drive from the north right-of-way of Pasadena Avenue to the centerline of Clermont Avenue all in

accordance with the drawings and specifications on file in the office of the Department of Public Works of said City, and such lighting is now ordered. This improvement is ordered pursuant to I.C. 18-1-6-15 and/or I.C. 19-5-24.

A maximum cost of $0.02 per square foot shall be assessed upon real estate abutting the above described streets except for real estate previously assessed under Street Lighting Resolution Numbers 109-75, 111-75 and 112-75. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana.

Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at the rate of six percent (6%) per annum. A bond or bonds shall be issued to the contractor in payments of such work, unless the property owners' pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from said property owner or owners for said work, or for collection of the same, or for the payment of any bond or bonds, certificate or certificates issued to said contractor in payment for such work, except for such monies as shall have been actually received by the City from the assessments for such lighting, or such monies as said City is by said above entitled act required to pay. All proceedings have and any work done in said lighting assessment of property, collection of assessments and issuance of bonds therefore, shall be provided or in said above entitled act and all amendments thereto and supplemental thereof.

Adopted, this 30th day of May 1979

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Edward B. LaMar

Attest:

Ursula Miller
Clerk

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

67-163-3 HI. 5/24/79

MAIL TAX BILLS TO:

QUIT-CLAIM DEED

This indenture witnesseth that CITY OF FORT WAYNE, INDIANA, A municipal corporation organized under the Constitution and Laws of the State of Indiana,

of Allen *County in the State of* Indiana

Releases and quit claims to GEORGE I. COPLEN and GENEVA COPLEN, Husband and Wife, As Tenants by the Entirety,

of Allen *County in the State of* Indiana

for and in consideration of One Dollar ($1.00) and other good and valuable considerati*
the receipt whereof is hereby acknowledged, the following Real Estate in Allen *County in the State of Indiana, to wit:*

See attached Exhibit "A" made a part hereof by reference.

"EXHIBIT A" 67-163-16

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 21st *day of* June *19*79 *personally appeared:*

Robert E. Armstrong, known to the undersigned to be the duly acting Mayor of the City of Fort Wayne, Indiana,

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires _____ *19*

_____
Notary Public

Dated this 21st **Day of** June **19**79

CITY OF FORT WAYNE, INDIANA
BY: MAYOR *Seal*

_____ *Seal*

Robert E. Armstrong
_____ *Seal*

_____ *Seal*

_____ *Seal*

_____ *Seal*

Resident of Allen *County*

This instrument prepared by Steven H. Hazelrigg, PARKER, HOOVER, KELLER & WATERMAN, *Attorney at Law*
200 Strauss Building, Fort Wayne, Indiana 46802

MAIL TO:

PRINTED BY THE ALLEN COUNTY INDIANA BAR ASSOCIATION
(REVISED 8-78)

EXHIBIT A

A parcel of land in the Northwest Quarter of the Southeast Quarter of Section 11, Township 32 North, Range 13 East, Allen County, Indiana, and more particularly described as follows to-wit:

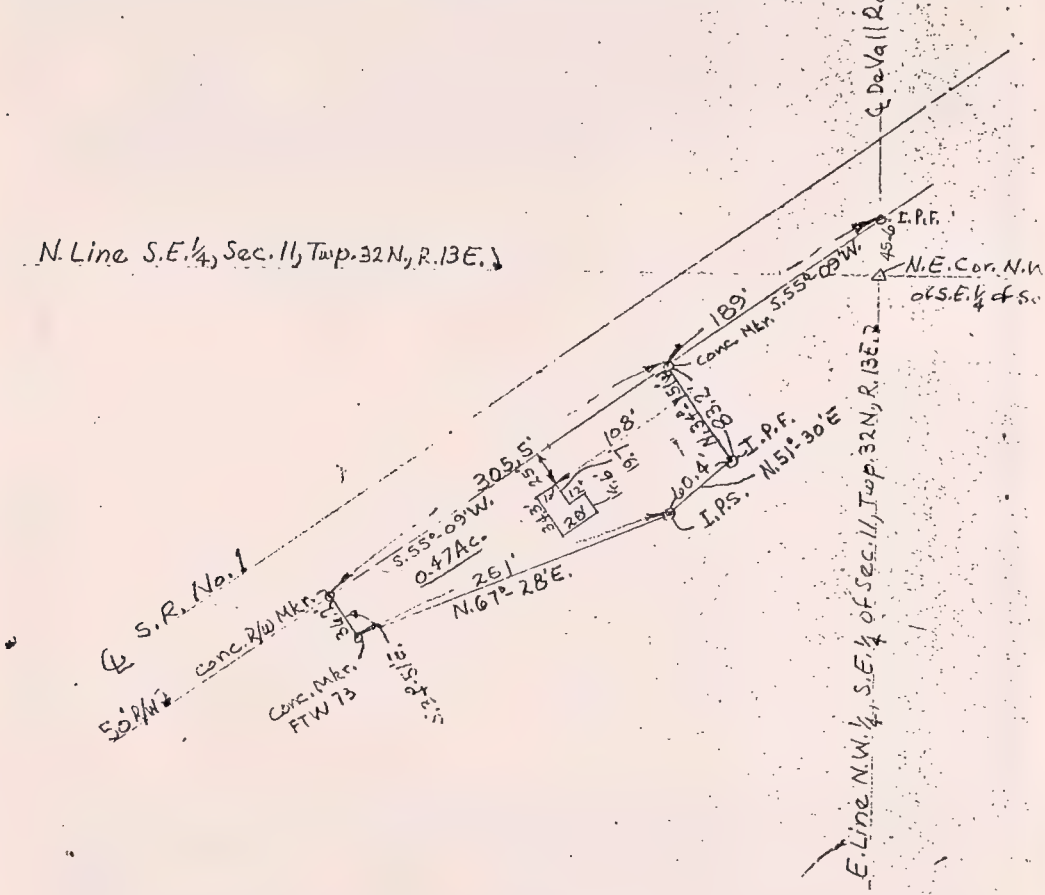
Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of the aforesaid Section 11; thence North 45.6 feet to the South right-of-way line of State Road No. 1; thence South 55 degrees 09 minutes West along the aforesaid South right-of-way line 189.0 feet to the place of beginning; thence continuing South 55 degrees 09 minutes West 305.5 feet to a concrete right-of-way marker; thence South 34 degrees 51 minutes East 36.2 feet; thence North 67 degrees 28 minutes East 251 feet; thence North 51 degrees 30 minutes East 60.4 feet; thence North 34 degrees 51 minutes West 83.2 feet to the place of beginning containing 0.47 acres of land more or less.

This Quit-Claim Deed is executed by the Grantor in order to correct an erroneous legal description set forth in a previous Deed executed by Grantees hereto on January 11, 1954, recorded January 12, 1954, in the office of the Recorder of Allen County in Deed Record Book 476, pages 30-31, wherein an erroneous survey and legal description caused said Grantees hereto to erroneously convey a certain parcel of real estate to the Grantor hereto, which erroneously conveyed real estate is hereby re-conveyed and transfered by Grantor to Grantees herein by this corrective Deed.

GAYLORD H. WIDNER 3905 STANTON DR
CERTIFICATE OF SURVEY REGISTERED LAND SURVEYOR FORT WAYNE, INDIA

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a survey of land and real estate situate in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below no

DESCRIPTION OF PROPERTY: A parcel of land in the N.W.¼ of the S.E.¼ of Sec. 11, Twp. 32 N. R.13E., Allen County, Indiana, and more particularly described as follows to wit:Commencing at the N. E. corner of the N. W.¼ of the S. E.¼ of the aforesaid Sec. 11; thence North 45.6 ft. to the South right-of-way line of State Road No. 1; thence S.55 degrees 09 minutes W. along the aforesaid South right-of-way line 189.0 ft. to the place of beginning; thence continuing S.55 degrees 09 minutes W. 305.5 ft. to a concrete right-of-way marker; thence S.34 degrees 51 minutes E. 36.2 ft.; thence N.67 degree 28 minutes E. 251 ft.; thence N.51 degrees 30 minutes E. 60.4 ft.; thence N.34 degrees 51 minutes W. 83.2 ft. to the place of beginning containing 0.47 acres of land more or less.



The above parcel of land does not lie in the flood plain. Gaylord H. Widner

I hereby certify above survey to be correct.

Surveyed For George Coplen

Surveyed 1-29-79

Gaylord H. Widner

67-163-3 H.I. 5/24/

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

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of Allen *County in the State of* Indiana

Releases and quit claims to GEORGE I. COPLEN and GENEVA COPLEN, Husband and Wife, As Tenants by the Entirety,

of Allen *County in the State of* Indiana

for and in consideration of One Dollar ($1.00) and other good and valuable consideration *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

See attached Exhibit "A" made a part hereof by reference.

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 24 *day of* May 19 79 *personally appeared:*

Henry P. Wehrenberg, Ethel H. LaMar and Max G. Scott, known to the undersigned to be the duly acting and authorized members of the Board of Public Works of the City of Fort Wayne, Indiana,

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires 3/6 1980

Anne J. Fox *Notary Public*

Dated this 24 **Day of** May 19 79

CITY OF FORT WAYNE, INDIANA
BY: BOARD OF PUBLIC WORKS

Seal

Henry P. Wehrenberg *Seal*

Ethel H. LaMar *Seal*

Max G. Scott *Seal*

Seal

Seal

Resident of Allen *County*

This instrument prepared by Steven H. Hazelrigg, PARKER, HOOVER, KELLER & WATERMAN, *Attorney at Law*
200 Strauss Building, Fort Wayne, Indiana 46802

MAIL TO:

PRINTED BY THE ALLEN COUNTY INDIANA BAR ASSOCIATION
(REVISED 8/78)

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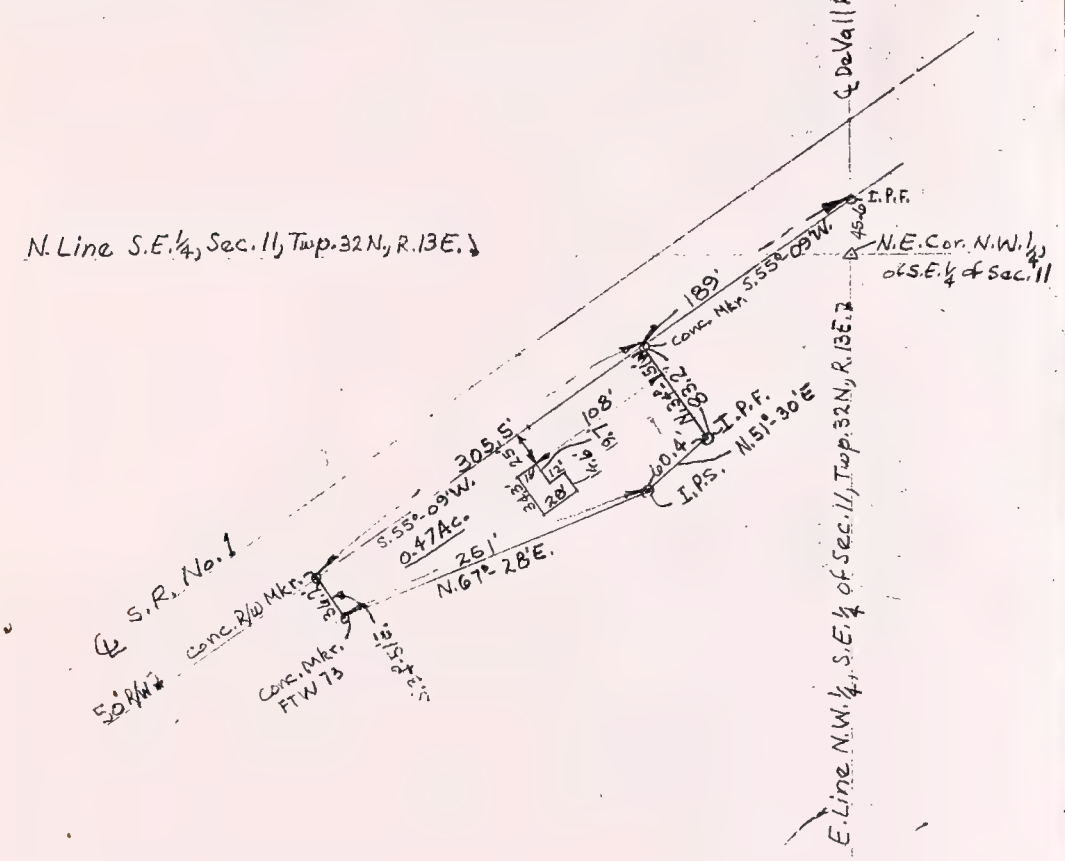
This Quit-Claim Deed is executed by the Grantor in order to correct an erroneous legal description set forth in a previous Deed executed by Grantees hereto on January 11, 1954, recorded January 12, 1954, in the office of the Recorder of Allen County in Deed Record Book 476, pages 30-31, wherein an erroneous survey and legal description caused said Grantees hereto to erroneously convey a certain parcel of real estate to the Grantor hereto, which erroneously conveyed real estate is hereby re-conveyed and transfered by Grantor to Grantees herein by this corrective Deed.

GAYLORD H. WIDNER — REGISTERED LAND SURVEYOR — 3905 STANTON DRIVE, FORT WAYNE, INDIANA

CERTIFICATE OF SURVEY

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a survey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: A parcel of land in the N.W.¼ of the S.E.¼ of Sec. 11, Twp. 32 N. R.13E., Allen County, Indiana, and more particularly described as follows to wit:Commencing at the N. E. corner of the N. W.¼ of the S. E.¼ of the aforesaid Sec. 11; thence North 45.6 ft. to the South right-of-way line of State Road No. 1; thence S.55 degrees 09 minutes W. along the aforesaid South right-of-way line 189.0 ft. to the place of beginning; thence continuing S.55 degrees 09 minutes W. 305.5 ft. to a concrete right-of-way marker; thence S.34 degrees 51 minutes E. 36.2 ft.; thence N.67 degrees 28 minutes E. 251 ft.; thence N.51 degrees 30 minutes E. 60.4 ft.; thence N.34 degrees 51 minutes W. 83.2 ft. to the place of beginning containing 0.47 acres of land more or less.



The above parcel of land does not lie in the flood plain. Gaylord H. Widner

I hereby certify above survey to be correct.

Surveyed For George Coplen

Surveyed 4-28-79

Gaylord H. Widner

Gaylord H. Widner, Reg. No. 10410

Legend: EIS - Environmental Impact Statement
P.E. - Preliminary Engineering
Const. - Construction

"EXHIBIT A"

67-162-16 H.I.
G-12-79 5/23/79

1980 CAPITAL IMPROVEMENT PROGRAM

SOURCE OF FUNDS

PROJECT DESCRIPTION	FEDERAL	STATE	REVENUE	R&S - MVH CITY	ASSESSMENT	COUNTY	OTHER	TOTAL
1. Barrett Law Streets - Construction				$ 30,000	$ 90,000			$ 120,000
2. Barrett Law Alleys - Construction				12,500	37,500			50,000
3. Barrett Law Walks - Construction				150,000	450,000			600,000
4. Misc. & Emergency - Construction			$ 100,000	100,000				200,000
5. Resurfacing - Construction			900,000					900,000
6. R.R. Crossings - Anthony, Anthony, Ardmore, & N&W	$ 468,000			52,000				520,000
7. St. Joe Road - R/W Acquisition carried forward from 1979				250,000				250,000
8. Calhoun-Pettit - Construction	255,000			85,000				340,000
9. Hanna-U.S. #27 - Construction	150,000	(Carried Forward)		50,000				200,000
10. Hobson Rd.-Coliseum to S.R. #37 - Construction	735,000	"	"	98,000		$147,000		980,000
11. Rudisill Blvd. - Harrison - Lafayette - Construction	225,000			75,000				300,000
12. R.R. Crossing (Engle, Glasgow, Edsall, Lumbard) - P.E.				50,000				50,000
13. C.D.& P. (Neighborhood Curb & Walk) - Construction							$350,000	350,000
14. R.R. Elevations (2) - Construction				110,000				110,000
	$1,833,000		$1,000,000	$1,062,500	$ 577,500	$147,000	$350,000	$4,970,000

"EXHIBIT A"

1980 CAPITAL IMPROVEMENT PROGRAM

SOURCE OF FUNDS

ESTIMATED AVAILABLE REVENUE	1980	
1. FEDERAL AID URBAN	$1,260,000	
2. L. A. R. & S.	1,400,000	
3. REVENUE SHARING	800,000	
4. PROPERTY OWNERS	577,500	
5. COUNTY	147,000	
6. FEDERAL R. R. FUNDS	80,000	
7. OTHER	350,000	
	$4,614,000	
SHORT	356,000	NEED MORE FEDERAL MONEY
	$4,970,000	

Legend: EIS - Environmental Impact Statement
P.E. - Preliminary Engineering
Const. - Construction

1980 CAPITAL IMPROVEMENT PROGRAM AMENDED

"EXHIBIT B"

SOURCE OF FUNDS

PROJECT DESCRIPTION	FEDERAL	STATE	REVENUE	R&S - MVH CITY	ASSESSMENT	COUNTY	OTHER	TOTAL
1. Hobson-Lake Intersection - Const.				$125,000				$125,000
2. Fernhill Extended - Const.		$135,000		865,000				$1,000,000

"EXHIBIT C"

SEWER RELIEF FUNDS	TOTAL CIVIL CITY BUDGET
MAINTENANCE AND REPAIR TO STORM SEWERS, CATCH BASINS AND INLETS BY WATER POLLUTION CONTROL MAINTENANCE DEPARTMENT FOR 1980	$190,000.00
EMERGENCY REPAIRS TO STORM SEWERS BY CONTRACTORS	10,000.00
	$200,000.00

PUBLIC LIGHTING FUNDS	
RESIDENTIAL LIGHTING, NEW LIGHTING AND REHABILITATION	$150,000.00

67-161-9 H-I
5/23/79

SIDEWALK IMPROVEMENT RESOLUTION

No. 5838-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to construct sidewalk on commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess St., and on the west side of Osage St. from the alley north of Boone St. for a distance of 925 feet north.

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be paid in accordance with Barrett Law Procedure, per Board of Works cost participation policy of 75% property owner cost and 25% City cost for non-commercial property and 100% property owner cost for commercial property.

Adopted, this 23 day of May, 19 79

ATTEST: Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:

Edward N. Paras

Mary G. Scott

CALHOUN PRESS

City Paid — 67-161-8 H.I 5/23/79

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5836 79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve by repairing cracks and joints and sealing entire surface of the City-County Building Parking Plaza.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by City of Fort Wayne.

Adopted, this 23 *day of* May, 1979

ATTEST: Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:

Henry P. Helmberger
Edward W. LaMar
May Geo

CALHOUN PRESS

67-158-15 H.J. 5/21/79

79- 12177

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT: C. Gordon Diver of Allen County, State of Indiana, hereinafter referred to as "Grantor", for and in consideration of One Dollar, receipt of which is hereby acknowledged, does hereby grant, quit-claim, and convey to the CITY OF FORT WAYNE, hereinafter referred to as "GRANTEE", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove a cable line, along and across the following described real property, located in Allen County, State of Indiana, to wit:

A 14 foot in uniform width easement, the centerline of which is described as follows: Commence on the West right-of-way line of Clinton Street as established by State Highway Project No. F. A. "U" 414(6), at a point situated 60 feet South of the South right-of-way line of Fourth Street (50 feet wide); thence Northwesterly by a deflection right of 108 degrees 12 minutes from the said West right-of-way line ofClinton Street produced South, a distance of 90.0 feet to a point situated 15.0 feet radially distant Southeasterly of existing spur track No. 18 centerline; thence Southwesterly by a deflection left of 37 degrees 13 minutes, a chord distance of 100.0 feet to a point situated 15.0 feet radially distant Southeasterly of said spur track centerline; thence Southwesterly by a deflection left of 12 degrees 35 minutes, a chord distance of 100.0 feet to a point situated 15.0 feet radially distant Southeasterly of said spur track centerline; thence Southwesterly by a deflection left of 12 degrees 57 minutes, a chord distanceof 100.0 feet to a point situated 15.0 feet radially distant Southeasterly of said spur track centerline; thence Southwesterly by a deflection left of 9 degrees 13 minutes, a chord distance of 100.0 feet to a point situated 15.0 feet radially distant Southeasterly of said spur track centerline; thence Southwesterly by a deflection left of 10 degrees 02 minutes, a chord distance of 98.7 feet to a point situated 15.0 feet radially distant Southeasterly of said spur track centerline; thence Southeasterly along the extension Northwesterly of an existing chain fence and the existing chain link fence by a deflection left of 83 degrees 07 minutes from the last described chord produced, a distance of 62.0 feet to the Point of Beginning of centerline of said 14 foot permanent easement; thence Northeasterly by a deflection angle to the left of 78 degrees 30 minutes and project a distance of 101.0 feet to a point; thence easterly by a deflection angle to the right of 52 degrees 01 minute and project a distance of 16.0 feet, to the point of terminating of aforesaid centerline of 14 foot easement.

79 MAY 9 P.3:55

ALLEN COUNTY RECORDER

GRANTOR certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

EXECUTED THIS 9th DAY OF May 1979.

C. Gordon Diver

DULY ENTERED FOR TAXATION
MAY - 9 1979
Gloria J. Gaglein
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA:
SS:
COUNTY OF ALLEN:

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared C. Gordon Diver who acknowledged the exectuion of the foregoing Grant of Easement, as and for voluntary act and deed, for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 9th day of May 1979.

Thomas E. Hohman
Resident of Allen County

MY COMMISSION EXPIRES:
September 5, 1982

This instrument prepared by Philip R. Boller

Call Ken - 7061

2.50 C BG

BCW

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

board of public works

BOARD OF PUBLIC WORKS
RECEIVED
MAY 21 1979

May 9, 1979

NOTED
☑ H.P.W.
☐ E.H.L.
☐ M.G.S.
Date_____

Mr. C. Gordon Diver
1319 W. Branning Avenue
Fort Wayne, Indiana 46807

Subject: Memorandum of Understanding
Consideration for Grant of Easement

Dear Mr. Diver:

It is my understanding that in addition to the One Dollar ($1.00) received by you for conveyance of a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove a cable line, the City of Fort Wayne agrees to remove debris from a portion of your property on the southwest corner of Clinton and Fourth Streets. This area to be cleared of debris is bounded by the aforementioned easement which runs in an approximate northeast-southwest direction on the easterly side of the area, by the chain link fence enclosing the Third Street Pumping Station on the southerly side of the area, by a line running in the northeast-southwest direction parallel with the granted easement approximately forty (40) feet to the northwest of the granted easement on the westerly side of the area, and by the graveled parking area on the northerly side of the area. The work to be performed is outlined as follows:

1. Remove approximately thirty (30) barn beams and poles.
2. Remove approximately twelve (12) wood planks and boards.
3. Remove one (1) wooden tool chest.
4. Grub miscellaneous trees of ten (10) feet or less in height in the above described area.
5. Reseed with grass the area disturbed by the trench only.
6. The City of Fort Wayne will dispose of the removed material.

The above outlined work shall be performed on the above described area on or before August 1, 1979. If these arrangements are acceptable to

AN EQUAL OPPORTUNITY EMPLOYER

you, please sign below and return to me.

Very truly yours,

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman
Board of Public Works

HPW/hg

Accepted by:

C. Gordon Diver

C. Gordon Diver

5-9-79

Date

Bo. 9-79

67-158-14 H.I

5/21/79

POINSETTE AVENUE - GOSHEN ROAD

A G R E E M E N T

F O R

79- 14082

S A N I T A R Y S E W E R E X T E N S I O N

THIS AGREEMENT, made in triplicate this 21 day of May, 1979, by and between Gerald Ford, contract purchaser, hereinafter referred to as "DEVELOPER", Majorie A. Hollis, sole surviving record title holder, and the City of FORT WAYNE, INDIANA, an Indiana municipal corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desires to construct a sanitary sewer described as follows:

ALLEN COUNTY RECORDER 79 MAY 25 AM 8:39

Sanitary Sewer

Line "A" - Beginning at an existing sanitary manhold located in the center of Poinsette Ave. approximately 190± L.F. South of Goshen Road thence North generally following the centerline of said Poinsette Ave., 260± L.F. to a proposed manhole located 50± L.F. North of and 15± L.F. East of the centerline intersection of Poinsette Ave., and Goshen Road thence Northwesterly along the North right-of-way line of Goshen Road 150± L.F. terminating at a proposed clean out.

Line "B" - Beginning at a proposed manhole located 50± L.F. North of and 15± L.F. East of the centerline intersection of Poinsette Ave. and Goshen Road thence Southeasterly along the right-of-way of said Goshen Road 140± L.F. terminating at a proposed clean out.

As shown on Exhibit "A" attached hereto and made a part hereof, said sanitary sewer shall be 8 inches in diameter, in accordance with plans, specifications, and profiles heretofore submitted to the CITY and now on file in the Office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY and known as Poinsette Ave. and Goshen Ave. Sanitary Sewer, which plans, specifications and profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of construction of said sewer is represented to be $28,125.00 composed of $25,625.00 for construction costs and $2,500.00 for consultant engineering.

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows

DULY ENTERED FOR TAXATION

MAY 25 1979

Gloria J. Gaughan

AUDITOR OF ALLEN COUNTY

Call Jeff - 7061

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, and to hold the CITY harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will initially serve the following described real estate of the DEVELOPER:

> The West half of Lot 3, and the East 26.1 feet of Lot 4 all in Dykes Out Lots to the City of Fort Wayne, Indiana, also part of Lot 7 in Dykes Out Lots, more particularly described as follows, to wit:
> Beginning at the Southeast corner of Lot 4 in Dykes Out Lots to the City of Fort Wayne, Indiana; thence Northwesterly along the South line of said Lot 4, and the North Right-of-Way line of Goshen Road, a distance of 26.1 feet; thence North and parallel to the East line of Lot 4, a distance of 261.0 feet to the North line of said Lot 4, and South Right-of-Way line of Linden Avenue; thence Southeasterly and along the North line of said Lot 4 a distance of 26.1 feet to the Northeast corner of said Lot 4; thence South along the East line of said Lot 4, a distance of 261.0 feet to point of beginning; also part of Lot 7 in Dykes Out Lots as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana, more particularly described as follows: Beginning at a point located at the intersection of the East line of Lot 4 of Dykes Out Lots extended North, and at the North line of Linden Avenue; thence Northwesterly along the North Right-of-Way line of Linden Avenue, a distance of 26.1 feet; thence North and parallel to the East line of said Lot 4, a distance of 117.34 feet to a point on the North line of said Lot 7, and the North line of Section 34, Township 31 North, Range 12 East, Allen County, Indiana; thence East along the North line of said Section 34, a distance of 22.6 feet; thence South a distance of 130.4 feet to point of beginning.

As the DEVELOPER will pay for the entire cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this AGREEMENT against the above described real estate for the construction of said sewer, or the use thereof, by the present or future owners of said aforedescribed real estate, except as to such standard tap-in and inspection fees as are customarily charged by the CITY for connections to City sewer main.

4. CHARGE AGAINST EXCESS AREA

Said sewer, however, also serves an additional or excess area as shown on the attached Exhibit "A". In the event any present or future owner of real estate shall at any time within fifteen (15) years of the date of this agreement, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land, CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to the CITY, in addition to the costs of standard tap-in and inspection fees, the sum of $0.3125625 per square foot for the area served by each such connection and use, which represents the pro rata share of the cost of the extension of the CITY sewer to said area. Any amount so collected by the CITY shall be paid by the CITY within sixty (60) days of the receipt thereof to the DEVELOPER.

5. ASSIGNMENT BY HOLDER OF LEGAL TITLE

In consideration of the benefits resulting to the owners of real estate in the vicinity of the properties described in paragraph 3, many of whom are buyers from Marjorie D. Hollis, surviving tenant by the entirety of Willis Hollis, her deceased husband, or owner of the bare legal title of said property, by virtue of having sold property described in paragraph 3 on contract to Gerald Ford, developer, the said Marjorie A. Hollis hereby assigns, releases and transfers to the said Developer, Gerald Ford any and all rights she now has or might hereafter have to any share in any and all connection fees, reimbursement of construction costs, or any other monies due and payable to, or to become payable to, Developer in connection with said Poinsette Avenue - Goshen Road Sanitary Sewer.

6. BOND

This contract is subject to DEVELOPER through his contractor furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer, said bond to serve as a guarantee of said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

7. LIMITATION ON USE

Said sewer shall be constructed for disposal of sanitary sewage only and neither the parties hereto, their successors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water run-off caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

8. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provision of Section 16, 17, and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (I.C. 19-2-7-16, I.C. 19-2-7-17 and I.C. 19-2-7-18), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER: Gerald Ford

By Gerald Ford
Gerald Ford

STATE OF INDIANA)
) S.S.
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Gerald Ford, by who acknowledged the execution of the foregoing agreement for sewer extension as and for ~~its~~ voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 12 day of April, 1979.

Eleanora Ahr
Notary Public

Resident of Allen County
ELEANORA AHR

My Commission Expires:
May 9, 1982

SURVIVING RECORD TITLE HOLDER
Marjorie A. Hollis

Marjorie A. Hollis
Marjorie A. Hollis

STATE OF ~~INDIANA~~ FLORIDA)
) SS:
COUNTY OF ~~ALLEN~~ LEE)

Before me, the undersigned, a Notary Public, in for for said County and State, personally appeared Marjorie A. Hollis, by who acknowledged the execution of the foregoing agreement for sewer extension as and for its voluntary act and deed for the uses and purposes therein contained.

WINTESS my hand and notarial seal this 5 day of April, 1979

John Clark Zeno
Notary Public

Resident of ~~Allen~~ LEE County

My Commission Expires:
Notary Public, State Of Florida At Large
My Commission Expires April 12, 1982
Bonded By Reserve Insurance Co.

CITY OF FORT WAYNE, INDIANA

By _____
Robert E. Armstrong, Mayor

BOARD OF PUBLIC WORKS

By _____
Henry P. Wehrenberg, Chairman

By _____
Ethel H. LaMar, Member

By _____
Max G Scott, Member

ATTEST _____
Ursula Miller, Clerk

APPROVED AS TO FORM AND LEGALITY

_____
City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Robert E. Armstrong, Henry P. Wehrenberg, Ethel H. LaMar, Max G Scott, and Ursula Miller, Clerk of said Board, known to me to be the Mayor, the Members (and clerk) of the Board of Public Works, said Board of the City of Fort Wayne, Indiana, respectively, and acknowledged the foregoing contract to be the voluntary act and deed of said City, and of themselves as such officers of said City.

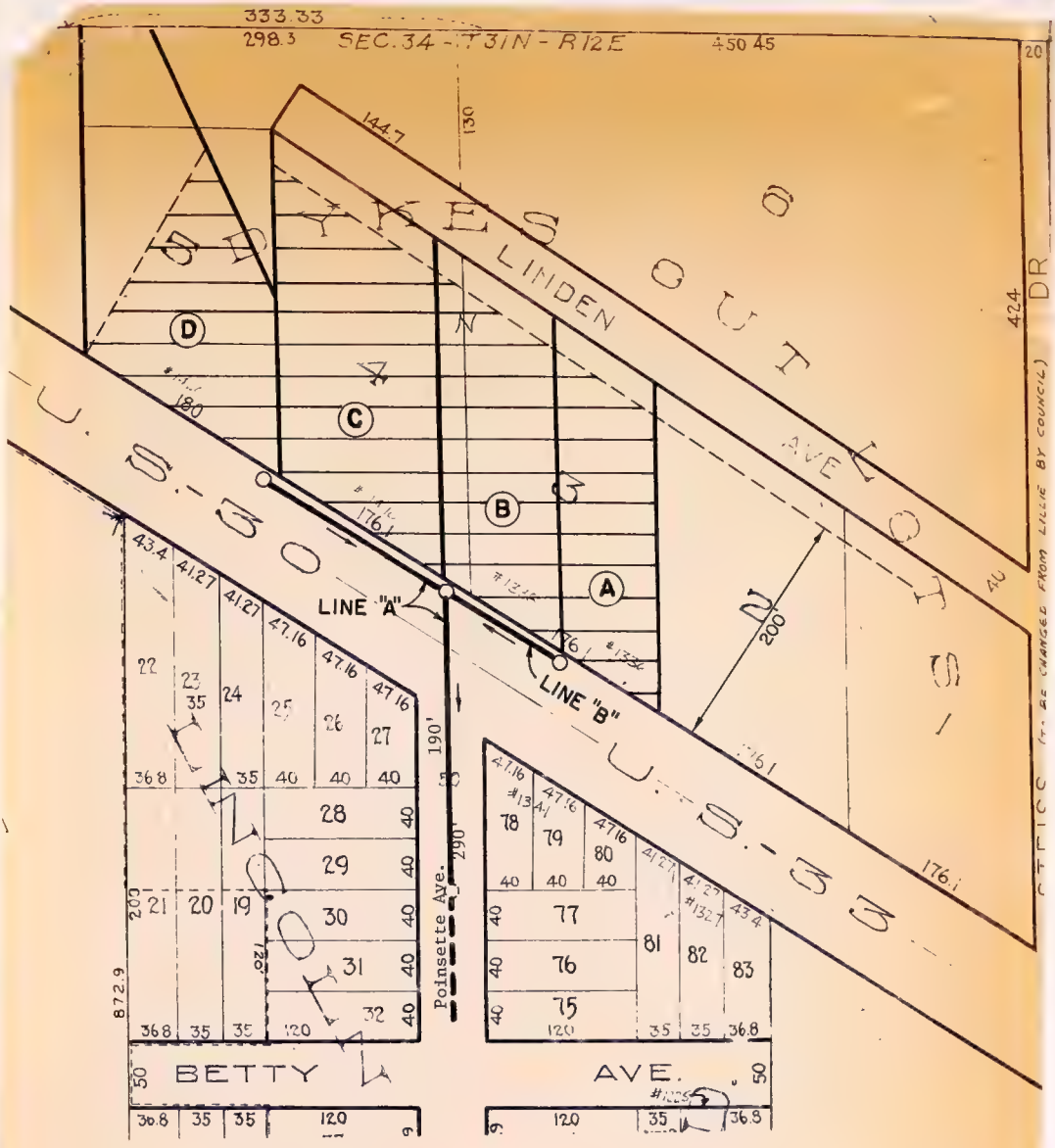
WITNESS my hand and notarial seal 21 day of May, 1979.

_____
Notary Public

Resident of Allen County
ANNE J. FOX

My Commission Expires:
3/6/80

This instrument prepared by Philip R. Boller, Chief Water Pollution Control Engineer, and by Larry Burke, Esq., Associate City Attorney.



LOCAL SEWER COST PER S.F. = $\frac{\text{TOTAL CONSTRUCTION COST}}{\text{TOTAL BENEFITED AREA}} = \frac{\$28,125.00}{89,982 \text{ S.F.}} = \$\ 0.3125625$

OWNER	UNIT	BENEFITED AREA	AREA IN S.F.	LOCAL SEWER EXTENSION COST PER S.F.	LOCAL SEWER COST PER PROPERTY OWNER
Smeltzer	A	LOT #3, E. ½	17,610 S.F.	0.3125625	$5,504.22
Developer	B	LOT #3, W. ½ LOT #4, E.26.1 ft.	22,830 S.F.	0.3125625	7,135.80
R.L.R. Development Co.	C	LOT #4, E.150 ft.	30,000 S.F.	0.3125625	9,376.88
Bell	D	LOT #5, 'Part of'	19,542 S.F.	0.3125625	6,108.10
		TOTALS	89,932 S.F.		28,125.00

EXHIBIT "A"

Form 1929 City Paid

67-154.23 H.I 5/16/79

Improvement Resolution

~~XXXX

City Paid

6" - 154 - 22 H.I 5/16/79

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5830 - 79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Production Road on the north and south sides from the west pavement edge of State Road #3 to a point 425 feet west thereof, and to lengthen westbound left turn lane on State Road #3.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne.

Adopted, this 16th *day of* May, 1979

ATTEST:

Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:

Henry P. Wehrenberg

Ethel W. LaMar

Mary G. Scott

CALHOUN PRESS

42

67-150-31 H.I. 5/14/79

EMERGENCY RESOLUTION NO. 67-150-31

WHEREAS, an Emergency sewer repair has become necessary at the rear of 1521 Crescent Avenue; and

WHEREAS, due to unstable soil conditions the Fort Wayne Water Utility is unable to perform the needed repair;

WHEREAS, the City Utilities General Superintendent Edmund Stanczak, Jr. requested bids from L. W. Dailey, Inc.; T - G Excavating, Inc. and John Dehner, Inc. and only L. W. Dailey, Inc. is available to do said work:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to repair this sewer and authorizes the City Utilities General Superintendent to approve a Purchase Order for said repair.

Approved this 14th day of May, 1979.

A true copy is incorporated herein.

Henry P. Wehrenberg

Ethel W. LaMar

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

42

Memorandum

To Board of Public Works Date 5/11/79

From Edmund A. Stanczak, Jr.

Subject Emergency Sewer Repair, Rear of 1521 Crescent

COPIES TO:

John Moran

Due to unstable soil conditions at the above named site it is impossible for our crews to perform the needed repair. John Moran has contacted Dailey, T-G Excavating and Dehner. Dailey has crews available to perform the work. I recommend Board of Works authorize the emergency repair by Dailey at this location.

NPW
EWE
map

BOARD OF PUBLIC WORKS
RECEIVED
MAY 1 1 1979

67-143-11 H.I. 5/9/79

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and FORT WAYNE ELECTRICAL ENGINEERING hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of power lines, signal lines, poles and electrical lights located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST:

Ursula Miller
Ursula Miller, Clerk

Authorized Representative of Permittee

May 9, 1979
Date

67-143-11 H.I.
5/9/79

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and FORT WAYNE WATER UTILITY hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of water mains, water services and appurtenances located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST:

Ursula Miller, Clerk

Authorized Representative of Permittee

May 9, 1979
Date

67-143-11 H.I. 5/9/79

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and FORT WAYNE WATER POLLUTION CONTROL hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of sewer lines, sewer services and appurtenances located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST:

Ursula Miller, Clerk

Authorized Representative of Permittee

May 9, 1979
Date

67-143-11 H.I
5/9/79

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and INDIANA & MICHIGAN ELECTRIC COMPANY hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of power lines, poles and underground facilities located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed by their respective representatives duly authorized thereunto on this 26th day of April, 19 79.

ATTEST:

J. A. Delaney
J. A. Delaney
Engineering Supervisor

INDIANA & MICHIGAN ELECTRIC COMPANY

BY: G. L. Ulm
G. L. Ulm
Division Superintendent

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

ATTEST:

Ursula Miller
Ursula Miller, Clerk

May 9, 1979
Date

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

67-143-11 H.I
5/9/79

UTILITY AGREEMENT

The City of Fort Wayne, Indiana and its Board of Public Works hereinafter referred to as the Board, and GENERAL TELEPHONE COMPANY OF INDIANA hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of telephone lines, poles, underground services and appurtenances located at the following described location Project Nos. RRP-F104(1), Item #80649, RRP-F248(1), Item #80650, RRP-F776(1), Item #80652, N&W Railroad Crossings at Brooklyn Ave., Nuttman St., and VanBuren St. are hereby granted permit to be located within the highway right-of-way in accordance with the attached drawings or if no drawings are attached, the utility facility will be placed adjacent to the present utility facilities and within the street right-of-way line as indicated on the plans for the proposed project. In consideration thereof, the Permittee hereby agrees to abide by and conform with the following terms and conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments, should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

3. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

4. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen

and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.

5. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.

6. It is understood and agreed by the Permittee and the utility that the utilities shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-Way by Utilities 1971."

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed by their respective representatives duly authorized thereunto on this _____ day of _____, 19___.

ATTEST:

James R. Haeger

JAMES R. HAEGER, Supervising Engineer-Outside Plant

GENERAL TELEPHONE COMPANY OF INDIANA

BY: Marvin E. Hinshaw

MARVIN E. HINSHAW, Network Engineering & Construction Manager-Outside Plant

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, ALLEN COUNTY

ATTEST:

Ursula Miller

Ursula Miller, Clerk

May 9, 1979

Date

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar, Member

Max G Scott

Max G Scott, Member

Memorandum

To Board of Works Date May 9, 1979

From Kenneth N. Traylor

Subject Utility Agreements - N&W Railroad Crossings

COPIES TO:

Project No. RRP-F104(1)
RRP-F248(1)
RRP-F776(1)
N&W Railroad Crossings Brooklyn, Nuttman, & VanBuren

Attached please find utility agreements which we request you to sign in preparation of bid letting in June of 1979.

Kenneth N. Traylor

KNT:ms

Att.

P.S. We have received all agreements from the utilities except Northern Indiana Public Service Company's. We will forward that agreement when we receive it.

Note: Original to KT for distribution
a7
5/9/79

67-143-11
5/9/79

42 44

City Paid 67-140-14 5/17/79

Form 1929

Improvement Resolution

FOR CURB AND SIDEWALK

No. 5829 - 79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve (Part I) The curb, sidewalk and drainage structures on both sides of Colerick Street and on both sides of Wildwood Avenue from Lafayette Street to Warsaw Street and also curb on the north side of Rudisill Boulevard from Monroe Street to Smith Street known as, "Oxford Neighborhood Phase IV".

(Part II) To improve the curb, sidewalk and drainage on both sides of East Creighton Avenue from Warsaw Street to Hanna Street and Buchanan Street from Lafayette Street to Warsaw Street and East Masterson Street from Lafayette Street to Monroe Street known as, "LaRez Neighborhood Phase II".

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by C.D. & P.

Adopted, this 7th *day of* May, 1979

BOARD OF PUBLIC WORKS: Henry P. Hebenberg
Ethel W. LaMar
Mary G. Scott

CALHOUN PRESS

Re: Res. 5833-79
Main St.

67-136-14 H.I
5/2/79

AGREEMENT

THIS AGREEMENT, between the BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, hereinafter referred to as the "Board", and the REDEVELOPMENT COMMISSION OF THE CITY OF FORT WAYNE, INDIANA, hereinafter referred to as the "Commission",

WITNESSETH:

WHEREAS, the Board has deemed it necessary to construct sidewalks, curbs, street lighting, storm drainage, widening and resurfacing of Main Street from Calhoun to Maiden Lane; and

WHEREAS, the construction of sidewalks, curbs, street lighting, storm drainage, widening and resurfacing of Main Street from Calhoun to Maiden Lane is included in a Redevelopment project and is part of an Urban Renewal Plan; and

WHEREAS, the Commission has agreed to pay one hundred percent (100%) of the costs of the related items listed below, but not to exceed Five Hundred Thousand Dollars ($500,000.00):

1. Project construction costs for pavement, sidewalks, storm drainage, street lighting, updating traffic signals, and pavement striping;
2. Street Engineering Department engineering costs;
3. Construction engineering costs;
4. Technical Services consisting of surveying, drafting, and inspection;

and

WHEREAS, the Commission has agreed to acquire property and raze all buildings necessary and provide the extra right-of-way necessary for said widening of Main Street; and

WHEREAS, the Board has completed construction documents and specifications for said project and is willing to receive bids, award contracts, and cause said improvements to be installed and completed under their direction and supervision upon the Commitment of the Commission to provide the necessary right-of-way and to pay for the cost of said project, not to exceed Five Hundred Thousand

Dollars ($500,000.00).

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. The Commission shall review and approve the plans which will be submitted by the Board prior to taking bids.

2. The Board shall proceed with taking bids and shall award contracts for the installation of the improvements as described in the construction documents and specifications. The Board shall review the bids and the proposed contracts with the Commission prior to the award of contracts for the purpose of confirming that the cost of the project comes within the financial commitment of the Commission.

3. The Commission will make every effort to release the 100 block of West Main Street for street reconstruction prior to July 15, 1979.

4. The Board will make every effort to insure completion of reconstruction of the 100 block of West Main Street within three (3) months of the date of release by the Commission.

5. The Board shall direct, supervise, and administer the project.

6. The Board shall approve and forward all contractors' invoices for payment to the Commission for direct payment.

7. Upon completion of the contract, the Board shall provide to the Commission written certification that the work has been performed and the contract completed in accordance with the plans and specifications and receive certification from the contractors that costs have been paid in full by the Commission.

8. Commission shall pay for the entire cost of the project, but not to exceed Five Hundred Thousand Dollars ($500,000.00).

IN WITNESS WHEREOF, the parties have executed this Agreement this 23rd day of April, 1979.

BOARD OF PUBLIC WORKS

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

By: Ethel H. LaMar
Ethel H. LaMar, Member

By: Max G. Scott
Max G. Scott, Member

ATTEST:

By: Ursula Miller
Ursula Miller, Clerk

REDEVELOPMENT COMMISSION OF THE
CITY OF FORT WAYNE, INDIANA

By: Leonard M. Weinraub
Leonard M. Weinraub, President

ATTEST:

By: Robert W. Hutner
Robert W. Hutner, Secretary

FORT WAYNE REDEVELOPMENT COMMISSION

DATE: April 27, 1979
TO: Henry P. Wehrenberg, Chairman, Board of Public Works
FROM: Robert P. Turk, Executive Director
SUBJECT: Agreement on Main Street Reconstruction

Attached hereto are three (3) copies of the Agreement between the Board of Public Works of the City of Fort Wayne and the Redevelopment Commission that have been executed by the President and Secretary of this Commission.

The Commission, at a Special Meeting held on Monday, April 23, 1979, reviewed and approved the design of the street as presented by Ken Traylor.

It is requested that two (2) copies of this Agreement be returned to this office following approval of the members of the Board of Public Works.

If you have any questions regarding this Agreement, please contact me.

RPT/mby
Attachments

BOARD OF PUBLIC WORKS
RECEIVED
APR 30 1979

i 46

67-136-10H.I 5/2/79

citizens cable
OF FORT WAYNE, INC.
3205 North Wells Street
Fort Wayne, Indiana 46808
219-424-8409

NOTED
H.P.W.
E.H.L.
M.G.S.
Date_____

BOARD OF PUBLIC WORKS
RECEIVED
MAY - 1 1979

April 30, 1979

Ms. Ethel LaMar
Board of Public Works
City of Fort Wayne
City-County Building
1 Main Street
Fort Wayne, Indiana 46802

Dear Ethel:

Attached for the Board of Public Works files is a copy of the "Acknowledgement Receipt" and the "Registration Statement" from the Federal Communications Commission.

As we understand the new rulings, this is the necessary FCC authorization to operate a cable television system in Fort Wayne.

Respectfully,

John Brockman
General Manager

JB/dm
Attm.

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

September 12, 1978

REPLY REFER TO:
4500

Re: Cable TV Certificate of Compliance Application

Gentlemen:

This will acknowledge receipt of application(s) described as follows:

Application for new CATV operations to serve Fort Wayne, Indiana.
The file number assigned is CAC-13657; code no. IN0203.

Handling of inquiries and correspondence will be expedited if reference is made to the file number(s) specified. The application(s) will be considered by the Commission and you will be advised of the action taken.

Sincerely,

Ronald [illegible], Chief
Records Management Division
Cable Television Bureau

V 46

FILE COPY

REGISTRATION STATEMENT

The following is submitted pursuant to Section 76.12 of the Commission's Rules:

(a) NAME/IDENTIFICATION

Legal Name: CITIZENS CABLE OF FORT WAYNE, INC.
E.I./S.S.N.:
Type: X Corporation ___Partnership ___Other (Specify)

RECEIVED
NOV 27 1978
FCC
OFFICE OF THE SECRETARY

(b) ASSUMED NAME: N/A

(c) MAILING ADDRESS:

53 Perimeter Center East
Suite 300
Atlanta, Georgia 30346

(d) DATE SERVICE PROVIDED TO 50 SUBSCRIBERS: N/A

(e) AREA(S) SERVED:

Fort Wayne, Indiana

(f) SIGNAL CARRIAGE: X New Systems ___New Community
___Addition of Signals - Existing System

Original Registration filed as Application for Certificate of Compliance 9/1/78. Supplements to Add:

WNIT-TV (34/ETV) South Bend, Indiana

(g) EQUAL EMPLOYMENT OPPORTUNITY STATEMENT:

X On file ___Attached ___N/A - fewer than 5 full-time employees

Respectfully submitted,

CITIZENS CABLE OF FORT WAYNE, INC.

By _____
Thurber M. Foreman, III
Secretary/Treasurer

Of Counsel:

DOW, LOHNES & ALBERTSON
1225 Connecticut Avenue, N. W.
Suite 500
Washington, D. C. 20036
(202) 862-8000

City Paid

Form 1929

67-136-9 H.T. 5/2/79

47

Improvement Resolution

FOR STREET OR ALLEY

No. 5815-1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Fernhill Avenue from Wells Street east to Northrop Avenue. The improvement will consist of the construction of a concrete pavement with curbs, street lighting, storm sewers and new traffic signals at the Northrop intersection. This improvement will be coordinated with the Conrail Force Account to improve the intersection of the Conrail line intersecting Northrop Avenue and Fernhill Extended. Also included in the improvement will be pavement repair and curb and island realignment at the intersection of Wells Street and Northrop Avenue.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne.

Adopted, this 2nd *day of* May, 1979

ATTEST:

Ursula Miller

Secretary & Clerk

BOARD OF PUBLIC WORKS:

Henry P. Helmsberger

Edward D. Lahman

Mary G. Scott

CALHOUN PRESS

4648

67-133-25 H.I
4/30/79

RESOLUTION NO. 67-133-25

RE: FORT WAYNE WATER POLLUTION CONTROL UTILITY

GENERAL RULES AND REGULATIONS

Pursuant to Water Pollution Control General Rules and Regulations adopted by the Board of Public Works on December 12, 1972, revised on July 28, 1975 and on July 11, 1977 and numbering articles #1 through #11, the Board of Public Works now deems it advisable to add a New Article 12, Enforcement.

GENERAL RULES AND REGULATIONS
(ADDITIONS)

In accordance with the statutes of the State of Indiana and Paragraph 201, Chapter 24, Sewer and Sewerage System, of the Fort Wayne Municipal Code, the Board of Public Works has established the following General Rules and regulations in order to implement the safe, economical, efficient operation of the Water Pollution Control Utility. The following represents additions to those regulations adopted by the Board on December 12, 1972, revised on July 28, 1975, and added to on July 11, 1977. Items #1 through #11, as previously adopted and revised, remain in full force and effect.

12. ENFORCEMENT

It shall be the policy of the City of Fort Wayne in accordance with Paragraph 205, Chapter 24, Sewers and Sewerage System, of the Fort Wayne Municipal Code to enforce the provisions of said ordinance in the following manner. Contractually specified enforcement procedures which conflict with any portion of this section will take precedence over the conflicting portion of this section.

1. Notice of Violation - All persons found to be in violation of paragraphs set forth in Paragraph 205, shall be served with a written "Notice of Violation" by the Water Pollution Control Plant Superintendent, or his designated representative, stating the nature of the violation or violations and providing a reasonable period of time within which acceptable corrective action must be taken.

2. Administrative Order - Violators failing to respond to the "Notice of Violation" shall be called before an Administrative Board for a hearing. An attempt will be made to resolve the matter in an equitable fashion and an Administrative Order will be drawn up specifying a schedule of compliance and/or a compliance date.

3. Court Action - Violations of Administrative Orders shall be referred immediately to the City Attorney, through the Board of Public Works, for enforcement in the Court of Jurisdiction. The referral shall include a request for the pursuit of the maximum penalty applicable under Paragraph 205, Chapter 24 of the Fort Wayne Municipal Code.

APPROVED this 30th day of April, 1979.

Henry P. Wilkenberg
Edward W. LaMar
Mary G. Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Clerk

67-124-24 H.I. 4/23/79

5827-79

IMPROVEMENT RESOLUTION
FOR CURB AND SIDEWALK

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, That it is deemed necessary to improve by construction of sidewalk, curbs, wing-walks, and catch basins on

St. Marys Avenue - west side of the street from High St. on the north to Burgess on the south
Burgess Street - north side of street from St. Marys to Degroff St.
Franklin Street - both sides from High St. to Burgess St.
Degroff St. - east side from High Street to Burgess St.
High Street - south side from St. Marys to Degroff St.

(Nebraska Neighborhood, Phase IV)

Jefferson St. - north side from Garden St. to Van Buren St., south side from Union St. to VanBuren St.
Washington Blvd. - both sides from Thieme Drive to VanBuren St.
Garden Street - both sides from Jefferson St. to Washington Blvd.
Nelson St. - both sides from Jefferson St. to alley north of Washington Blvd.
College St. - both sides from Jefferson St. to alley north of Washington Blvd.
Rockhill St. - from Jefferson St. to alley north of Washington Blvd. (east side)
Union St. - both sides from Jefferson St. to alley north of Washington Blvd.
Jackson St. - both sides from Jefferson St. to alley north of Washington Blvd.
Van Buren St. - both sides from Jefferson St. to alley north of Washington Blvd.

(West Central Neighborhood, Phase IV, Section A)

Garden St. - both sides from Jones St. to Jefferson St.
Nelson St. - both sides from Jones to Jefferson
College St. - east side from Jones St. to Wilt St.
Swinney Park Place West - east side from Jefferson St. to first alley south
Swinney Park Place North - south side from Jefferson St. to Garden St.
Jones St. - north side from Rockhill St. to Garden St.
Union St. - west side from Leykauf St. to Lavina St.
Lavina St. - south side from Rockhill St. to first alley west
Jefferson St. - south side from Garden St. to Union St.

(West Central Neighborhood , Phase IV, Section B)

Huffman St. - both sides from Sherman Blvd. to Wells St.

(Northwest Central Neighborhood, Phase III-79)

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by Community Development & Planning.

ADOPTED, this 23rd day of April, 1979

ATTEST:

Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel M. LaMar
Ethel M. LaMar, Member

Max G Scott
Max G Scott, Member

67-123-23 4/23/79

Form 1929

Improvement Resolution

~~XXXXSTREETXORXALLEYXXX~~

No. 5832-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve by construction of sidewalks, wingwalks, catch basins, retaining walls under the Penn-Central Railroad Elevation, brick street restoration, and pipe railing repair on College Street - on the east side from the north property line of Jones Street to the north property line of Wall St. and on the west side from the north property line of Jones Street to the south property line of the Penn Central Railroad.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne.

Adopted, this 23rd *day of* April, 1979

ATTEST:

Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:

Ethel W. LaMar

Mary G Scott

CALHOUN PRESS

67-123-22 H.I.
4/23/79

Form 1929

Improvement Resolution

FOR CURB AND SIDEWALK

No. 5828-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve by repair and replacement of curb, sidewalks, catch basins and drive approaches on Eliza Street from the east curb line of Gay Street to the west property line of Ohio Street. This area shall be known as East Central, Phase IV.

It is also deemed necessary to improve by repair and replacement of curb, sidewalks, catch basins and drive approaches on both sides of Smith Street from Green Street to Pontiac Street, on the east side of Winter Street from Creighton Avenue to Milan Street, and on both sides of Oliver Street from Pontiac Street to Hurd Street. This latter area shall be known as Hanna-Creighton, Phase III.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by Community Development & Planning.

Adopted, this 23rd *day of* April, 1979

ATTEST:
Ursula Miller
Secretary & Clerk

BOARD OF PUBLIC WORKS:
Henry P. Blenkenberg
Edward L. Parman
Mary G. Scott

CALHOUN PRESS

79- 10718 67-123-20 H.I. 4/23/79

RETENTION POND MAINTENANCE AGREEMENT

This Agreement entered into this 23rd day of April, 1979, by and between Edward Rose of Indiana, an Indiana Limited Partnership, hereinafter referred to as "Developer" and the City of Fort Wayne, Indiana, an Indiana Municipal Corporation hereinafter referred to as "City".

WHEREAS, Developer is proposing the construction of a garden apartment complex to be located on the following described premises:

Part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning at the Southeast corner of the Southwest Quarter of said Northwest Quarter; thence N 01°-39' W (based on a bearing of S 42°-32' E for the centerline of Goshen Road and is used as the basis for the bearings in this description), on and along the East line of said Southwest Quarter, being also the centerline of Harris Road, 1330.6 feet to the Northeast corner of said Southwest Quarter; thence S 89°-00' W, on and along the North line of said Southwest Quarter, being established by an existing line fence and monuments found, 1256.8 feet to a point situated 60.0 feet East of the Northwest corner of said Southwest Quarter and being on the East line of an Indiana and Michigan Electric Company right-of-way, 60 feet in width; thence S 01°-35' E, on and along the East line of said right-of-way, being a line 60 feet (measured at right angles) East of and parallel to the West line of said Northwest Quarter as said West line is defined by the East right-of-way line of the G.R. & I. Railroad, a distance of 1146.9 feet to the Northeasterly right-of-way line of Goshen Road; thence S 42°-32' E, on and along said Northeasterly right-of-way line, being a line 50.0 feet (measured at right angles) Northeasterly of and parallel to the centerline thereof, 14.1 feet; thence S 39°-30' E, continuing along said Northeasterly right-of-way line, 100.13 feet; thence S 42°-32' E, continuing along said Northeasterly right-of-way line, being a line 45.0 feet (measured at right angles) Northeasterly of and parallel to the centerline of said Goshen Road. 128.7 feet to the South line of said Northwest Quarter; thence N 88°-55' E, on and along said South line, being established by survey monuments found, 1103.2 feet to the point of beginning, containing 38.114 acres of land, subject to legal right-of-way for Harris Road. JMC 4-27-79

WHEREAS, there does not exist an adequately sized dedicated public storm sewer for the aforedescribed 38.114 acres of the Developer, and

WHEREAS, the Developer desires to proceed on the development of the aforedescribed 38.114 acres, and

WHEREAS, the Developer, in order to proceed with the development at this time, has proposed to construct a Storm Water Retention Pond in lieu of the construction of an adquate public storm sewer system.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements set forth herein, the parties hereto agree as follows:

1) The Developer shall cause the construction of a Storm Water Retention Pond in accordance with the plans prepared by Engineering Planning Service, Inc. dated June 29, 1977, labeled Point West Apartments.

79 APR 26 PM 1:34

Cecil Rev 7061

5.5

2) The Developer shall construct a temporary outfall from the Storm Water Retention Pond in accordance with sheet number seven (7) of said plans which is shown on Exhibit "A" attached hereto and made a part hereof.

3) In the event the temporary outfall is at some time in the future causing damage, in the sole judgement of the City, to properties down-stream from the subject property, the Developer shall cause the construction of Alternate Drainage Route #1 as shown on Exhibit "A" in accordance with the City's standards and specifications within six months of receiving a written notification from the City that such damage is occurring.

4) The Developer shall indemnify and save harmless the City (and its employees, agents, boards and departments), from any losses, liability, cost or expenses of any kind (including without limiting the generality of the foregoing, any and all reasonably attorney's fees or other costs or expenses in the defense thereof) on account of any and all claims, demands, actions or cause of action, which may be asserted on account of or arising out of the installation of the Storm Water Retention Pond, the temporary outfall and when constructed, the Alternate Drainage Route #1.

5) The Developer assumes all responsibility for the continual maintenance and operation of said retention pond and hereby guarantees to provide for all expenses incurred by said maintenance.

6) In the event that the Developer fails to maintain and perform repairs on said retention pond, the City shall be permitted ingress and egress onto the real estate to effect any required repairs or maintenance. Provided, however, that the City has first notified the Developer by certified mail of the required repairs or maintenance and has provided the Developer a reasonable amount of time, not exceeding thirty (30) days, to commence such repairs or maintenance. The Developer shall be liable to the City for the reasonable cost of all equipment, labor and material necessitated in effecting repairs or maintenance of said retention pond. In the event Developer fails to make payment to the City for services rendered as aforesaid within thirty (30) days after the receipt of billing the City shall have the right to place either a lien or an assessment on the real estate for the amount owed, plus costs of collection, attorney's fees and court costs.

7) The City agrees that at such time as the pond is no longer necessary for the retention of storm water this agreement shall automatically terminate and that the City will execute and record a document evidencing such termination upon request by the Developer.

8) This agreement is accepted as a covenant which shall run with the above described premises and all rights hereto shall be binding upon the parties hereto, their successors and assigns.

In Witness Whereof, the parties have subscribed this Agreement this 3rd day of April, 1979.

EDWARD ROSE OF INDIANA,
An Indiana Limited Partnership

ATTEST: Dennis Stinovaran BY Sheldon Rose
Sheldon Rose, General Partner

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss:

Personally came before me this 20 day of March, 1979, the above named Sheldon Rose to me known to be the person who executed the foregoing instrument and acknowledged the same.

Betty J. Dennis
Notary Public
Oakland County, Michigan

My Commission Expires: BETTY J. DENNIS Notary Public, Oakland County, Mich My Comm. Expires May 27, 1980

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

ATTEST: Ursula Miller
Clerk

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Approved for form and legality:

Ethel W. LaMar
Ethel H. LaMar, Member

Larry Burke
City Attorney

Max G. Scott
Max G. Scott, Member

City of Fort Wayne, Indiana

By: Robert Armstrong
Robert Armstong, Mayor

STATE OF INDIANA)
COUNTY OF ALLEN) ss.

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the above named Henry P. Wehrenberg, Chairman; Ethel H. LaMar and Max G. Scott, Members of the Board of Public Works, of the City of Fort Wayne, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority.

Witness my hand and Official Seal this 23 day of April, 1979.

Anne J. Fox

Anne Fox Notary Public

My Commission Expires: 3/4/80

53

79- 08907

67-122-14 H.I.
4/23/79

PARTIAL RELEASE OF MORTGAGE

FOR VALUE RECEIVED, the undersigned, Peoples Trust Bank, of Fort Wayne, Indiana, mortgagee named in that certain mortgage given June 11, 1975, by Edna M. Pennycoff for $170,000.00, recorded as Document No. 75-11386 in the Recorder's Office of Allen County, Indiana, DOES HEREBY RELEASE from the lien, force, and effect of said mortgage the real estate in Allen County, Indiana, described as follows, to-wit:

79 APR 10 P 3:09

Part of Lot Number 8, in a Subdivision by Archange Godfrey in the year 1870, of Richardville Reserve on the West bank of the St. Marys River, in Township 30 North, Range 12 East, in Allen County, Indiana, as recorded in Deed Record 52, page 54, in the Office of the Recorder of Allen County, Indiana, and in particular described as follows, to-wit:

Commencing at a point of beginning located at the intersection of the Westerly right of way line of State Road Nos. 1 and 3, also known as the "Bluffton Road", and the Easterly right of way line of a public road known as "Trail Road", said intersection point being 50 feet perpendicular from the centerline of the Bluffton Road and 30 feet perpendicular from the centerline of Trail Road; thence running Southerly on the Westerly right of way line of said Bluffton Road, said line being parallel with the centerline of Bluffton Road having a degree of curvature to the right of 0.8098 degree, a distance of 112.28 feet; thence Westerly by a deflection angle right of 86°18'48" - 43.88 feet to a point; thence on a curve to the left having a radius of 38.0 feet and a central angle of 57°19'17", on an arc length distance of 38.02 feet to the Easterly right of way line of Trail Road; thence Northerly on aforesaid Trail Road right of way line a distance of 153.89 feet to the place of beginning; containing 0.10 acres more or less.

Said mortgage remains in full force and effect as to the remainder of the real estate therein described.

WITNESS our name and seal this 27th day of March, 1979.

PEOPLES TRUST BANK

By _____
(Douglas Scott) Vice President

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared this 27th day of March, 1979, Douglas Scott, personally known to me to be a Vice President of Peoples Trust Bank, and acknowleged the execution of the forgoing Partial Release of Mortgage for and on its behalf, for the uses and purposes herein contained.

John R. Kowalczyk
Notary Public
(John R. Kowalczyk)
Resident of Allen County, Indiana.

My Commission Expires:

September 4, 1981

This instrument was prepared by John R. Kowalczyk, Attorney.

Kenneth Bey

jk
270

April 19, 1979

TO: Ursula Miller
Board of Works

In Re: Pennycoff-City of Fort Wayne

Here is the recorded Partial Release of Mortgage for the Imel property.

Larry J. Burke

LJB:kp
Enclosure

APPROVED
Board of Works

5762 Rue Bluffton-Old Trail

67-122-13 H.I.
4/23/79

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

IN THE ALLEN CIRCUIT COURT

CAUSE NO. CC-78-1585

CITY OF FORT WAYNE, INDIANA,

Plaintiff

vs.

FINDING AND JUDGMENT

1979 MAR 30 AM 9:06
ALLEN CO. IND.
CLERK

JUDGEMENT

COURT

OFFICIAL RECEIPT

CLERK of ALLEN CIRCUIT COURT

Room 200 Court House

Fort Wayne, Indiana 46802

Date 4-4-79	Court C	Cause No. CC-78-1585
Type 2nd	Feebk 48 PG 304	J. D. PG Issued By CA
Plff.	City of Ft Wayne	
Deft.	Edna M Imel	
Received of	Plf. Atty.	
	COURT COSTS	
	STATE DOCKET FEES	
	JUDICIAL FEES	
	SERVICE OF PROCESS - SHERIFF	
	FINES AND FORFEITURES	
	SUPPORT SERVICE FEES	
	COUNTY APPRAISER FEES	
	PROSECUTING ATTORNEY FEES	
	FORT WAYNE NEWSPAPERS (106-H)	
	WITNESS FEES	
Appr. fees	OTHER TRUST Richard Curdes	175.00
	Vera Mitakis III	175.00
	Kenneth Zent	175.00
C 17874	TOTAL →	525.00

Patricia Conrad Clerk

"APPROVED BY THE STATE BOARD OF ACCOUNTS FOR CLERK OF ALLEN CIRCUIT COURT (1968)."
SUPERIOR BUSINESS FORMS INC FORT WAYNE IND 46805

TAXATION

COUNTY

Wayne, Indiana, by Larry J. ...ant, Edna M. Imel, by New- ... this cause is now submitted ...

...emises now finds as follows: ...ayne, Indiana, filed its com- ...tle to a part of defendant ...ber, 1978, and all defendants ...tatute.

...his Court entered an order ...eal estate to the City of ...

...ointed three (3) disinter- ...ss the damages and benefits ...tion.

... each taking their oath and receiving their instructions, these appraisers returned their report to this Court showing total damages to defendant Edna M. Imel in the amount of Seven Thousand Five Hundred Dollars ($7,500.00), and this Court thereupon ordered each such appraiser be paid One Hundred Seventy-Five Dollars ($175.00) for his said services herein.

5. That no party has filed any exceptions to the appraisers' report herein, and that the time allowed by law for filing same has now expired.

RECEIVED
APR ...
STREET ...
DEPA...

INSTRUMENT M 1860

5762 New Bluffton-Old Trail

67-122-13 H.I.
4/23/79

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

IN THE ALLEN CIRCUIT COURT

CAUSE NO. CC-78-1585

CITY OF FORT WAYNE, INDIANA,

Plaintiff

VS.

EDNA M IMEL and

FINDING AND JUDGMENT

DULY ENTERED FOR TAXATION
[illegible]6 1979
[illegible] Gerstein
ALLEN COUNTY

1979 MAR 30 AM 9:06
ALLEN CO. [illegible]
[illegible] CLERK

JUDGEMENT

OFFICIAL RECEIPT

AUDI

CLERK of ALLEN CIRCUIT COURT

Room 200 Court House
Fort Wayne, Indiana 46802

Date 4-4-79 Court C Cause No. CC-78-1585
Feebk. PG. PG. 195 Issued By SC
Plf. City of Fort Wayne
Deft. Edna M. Imel et al
Received of Pet Atty

COURT COSTS	
STATE DOCKET FEES	
JUDICIAL FEES	
SERVICE OF PROCESS	
FINES AND FORFEITURES	
SUPPORT SERVICE FEES	
PROSECUTING ATTORNEY FEES	
FORT WAYNE NEWSPAPERS	
WITNESS FEES	
OTHER TRUST	
Judgment	7500
TOTAL →	7500

J 10640 Patricia Conrad Clerk

"APPROVED BY THE STATE BOARD OF ACCOUNTS FOR CLERK OF ALLEN CIRCUIT COURT (1968)."
SUPERIOR BUSINESS FORMS INC FORT WAYNE IND 46805

Fort Wayne, Indiana, by Larry J. defendant, Edna M. Imel, by New-s, and this cause is now submitted

the premises now finds as follows:

Fort Wayne, Indiana, filed its com-ple title to a part of defendant f October, 1978, and all defendants d by statute.

1979, this Court entered an order nel's real estate to the City of

so appointed three (3) disinter-o assess the damages and benefits ropriation.

after each taking their oath and rs returned their report to this Court showing total damages to defendant Edna M. Imel in the amount of Seven Thousand Five Hundred Dollars ($7,500.00), and this Court thereupon ordered each such appraiser be paid One Hundred Seventy-Five Dollars ($175.00) for his said services herein.

5. That no party has filed any exceptions to the appraisers' report herein, and that the time allowed by law for filing same has now expired.

RECEIVED
APP[illegible]
STREET [illegible]
DEPA[illegible]

INSTRUMENT M 1860

54

5762 Rud Bluffton-Old Trail

67-122-13 H.I.

4/23/79

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

IN THE ALLEN CIRCUIT COURT

CAUSE NO. CC-78-1585

CITY OF FORT WAYNE, INDIANA,

Plaintiff

VS.

EDNA M IMEL and PEOPLES TRUST BANK,

Defendants

FINDING AND JUDGMENT

DULY ENTERED FOR TAXATION
APR 26 1979
Gloria J. Goeglein
AUDITOR OF ALLEN COUNTY

1979 MAR 30 AM 9:05
ALLEN CIR... CLERK

Come now the plaintiff, the City of Fort Wayne, Indiana, by Larry J. Burke, Chief Deputy City Attorney, and the defendant, Edna M. Imel, by Newkirk, Keane, Kowalczyk & Leal, her Attorneys, and this cause is now submitted to the Court for finding and judgment.

And the court being duly advised in the premises now finds as follows:

1. That the plaintiff, the City of Fort Wayne, Indiana, filed its complaint for the appropriation of the fee simple title to a part of defendant Edna M. Imel's real estate on the 5th day of October, 1978, and all defendants were properly served with notice as provided by statute.

2. That on the 2nd day of January, 1979, this Court entered an order appropriating a part of defendant Edna M. Imel's real estate to the City of Fort Wayne, Indiana, for highway purposes.

3. That by said order, this Court also appointed three (3) disinterested freeholders of this County and State to assess the damages and benefits to defendant Edna M. Imel caused by such appropriation.

4. That on the 26th day of January, after each taking their oath and receiving their instructions, these appraisers returned their report to this Court showing total damages to defendant Edna M. Imel in the amount of Seven Thousand Five Hundred Dollars ($7,500.00), and this Court thereupon ordered each such appraiser be paid One Hundred Seventy-Five Dollars ($175.00) for his said services herein.

5. That no party has filed any exceptions to the appraisers' report herein, and that the time allowed by law for filing same has now expired.

RECEIVED
APR
STREET
DEPA...

INSTRUMENT M 1860

6. That defendant Peoples Trust Bank has disclaimed any interest in the appropriated real estate superior to plaintiff's interests, and has disclaimed any and all right to damages for such appropriation.

7. That the total value of the appropriated real estate is Seven Thousand Five Hundred Dollars ($7,500.00).

8. That defendant Edna M. Imel should recover Seven Thousand Five Hundred Dollars ($7,500.00) from the plaintiff as her total damages for appropriation of a part of her real estate.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, by the Court, that the order of appropriation entered herein on the 2nd day of January, 1979, be, and the same is hereby confirmed, and the fee simple title to that part of defendant Edna M. Imel's Allen County, Indiana, real estate described as follows, to-wit:

> Part of Lot Number 8, in a Subdivision by Archange Godfrey in the year 1870, of Richardville Reserve on the West bank of the St. Marys River, in Township 30 North, Range 12 East, in Allen County, Indiana, as recorded in Deed Record 52, page 54, in the Office of the Recorder of Allen County, Indiana, and in particular described as follows, to-wit:
>
> Commencing at a point of beginning located at the intersection of the Westerly right of way line of State Road Nos. 1 and 3, also known as the "Bluffton Road", and the Easterly right of way line of a public road known as "Trail Road", said intersection point being 50 feet perpendicular from the centerline of the Bluffton Road and 30 feet perpendicular from the centerline of Trail Road; thence running Southerly on the Westerly right of way line of said Bluffton Road, said line being parallel with the centerline of Bluffton Road having a degree of curvature to the right of 0.8098 degree, a distance of 112.28 feet; thence Westerly by a deflection angle right of 86°18'48" - 43.88 feet to a point; thence on a curve to the left having a radius of 38.0 feet and a central angle of 57°19'17", on an arc length distance of 38.02 feet to the Easterly right of way line of Trail Road; thence Northerly on aforesaid Trail Road right of way line a distance of 153.89 feet to the place of beginning; containing 0.10 acres more or less,

is hereby appropriated to the City of Fort Wayne, Indiana, for highway purposes.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, by the Court, that defendant Edna M. Imel have and recover from plaintiff, the City of Fort Wayne, Indiana, as final and total damages for such appropriation, the sum of Seven Thousand Five Hundred Dollars ($7,500.00).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, by the Court, that the plaintiff, the City of Fort Wayne, Indiana, pay to the Clerk of this Court the said $7,500.00, together with the appraisers' fees and other costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, by the Court, that, upon receipt of said monies from plaintiff, the Clerk of this Court will pay the same to defendant Edna M. Imel, and to the appraisers herein, according to their respective entitlement thereto.

Dated this 30th day of March, 1979.

Hermann F. Bruns
Judge, Allen Circuit Court

APPROVED: CITY ATTORNEY OF THE CITY OF FORT WAYNE, INDIANA

By Larry J. Burke
(Larry J. Burke) Chief Deputy
2120 Fort Wayne National Bank Building
Fort Wayne, Indiana 46802
Telephone: (219) 743-0171
Attorney for Plaintiff

NEWKIRK, KEANE, KOWALCZYK & LEAL

By John R. Kowalczyk
(John R. Kowalczyk)
221 West Wayne Street
Fort Wayne, Indiana 46802
Telephone: (219) 424-1450
Attorneys for Defendant Imel

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE ALLEN CIRCUIT COURT

CAUSE NUMBER CC-78-1585

CITY OF FORT WAYNE, INDIANA,
Plaintiff,

vs.

EDNA M. IMEL and PEOPLES TRUST BANK,
Defendants.

DISCLAIMER

1979 MAR 30 AM 9:05
ALLEN CO.
CLERK

Comes now Defendant Peoples Trust Bank and disclaims any interest superior to that of the Plaintiff in the Allen County, Indiana, real estate hereinbefore ordered appropriated for highway purposes by the City of Fort Wayne, Indiana, which real estate is described as follows, to-wit:

> Part of Lot Number 8, in a Subdivision by Archange Godfrey in the year 1870, of Richardville Reserve on the West bank of the St. Marys River, in Township 30 North, Range 12, East, in Allen County, Indiana, as recorded in Deed Record 52, page 54, in the Office of the Recorder of Allen County, Indiana, and in particular described as follows, to-wit:
>
> Commencing at a point of beginning located at the intersection of the Westerly right of way line of State Road Nos. 1 and 3, also known as the "Bluffton Road", and the Easterly right of way line of a public road known as "Trail Road", said intersection point being 50 feet perpendicular from the centerline of the Bluffton Road and 30 feet perpendicular from the centerline of Trail Road; thence running Southerly on the Westerly right of way line of said Bluffton Road, said line being parallel with the centerline of Bluffton Road having a degree of curvature to the right of 0.8098 degree, a distance of 112.28 feet; thence Westerly by a deflection angle right of 86°18'48" - 43.88 feet to a point; thence on a curve to the left having a radius of 38.0 feet and a central angle of 57°19'17", on an arc length distance of 38.02 feet to the Easterly right of way line of Trail Road; thence Northerly on aforesaid Trail Road right of way line a distance of 153.89 feet to the place of beginning; containing 0.10 acres more or less.

Said Defendant also informs the Court it is not in possession of said real estate. Said Defendant also further disclaims any and all right to damages for the appropriation of said real estate by Plaintiff.

PEOPLES TRUST BANK

By _____
(Douglas Scott) Vice President

Attest _____
(Frank R. Marano) Assistant Secretary

This instrument was prepared by NEWKIRK, KEANE, KOWALCZYK & LEAL, Attorneys of record herein for Defendant Edna M. Imel.

67-121-10 H.I.
4/23/79

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT, Charles H. McIntosh and Cora M. McIntosh, husband and wife, for and in consideration of One Dollar and other valuable consideration, grant and convey to The City of Fort Wayne, Indiana, a temporary 10 foot uniform width easement across the East side of the following described real estate, located in the County of Allen, State of Indiana, for the purpose of the construction of a sewer line:

Lot Number 8, Gerke's Trier Road Addition,
Section I, as recorded in Plat Book 18,
page 157.

Said temporary easement shall expire one year from the date of the grant hereof.

Dated this 20th day of APRIL, 1979.

Charles H. McIntosh

Cora M. McIntosh

On this 20th day of APRIL, 1979, personally appeared Charles H. McIntosh and Cora M. McIntosh, husband and wife, and each acknowledged the execution of the above and foregoing Grant of Easement.

WITNESS my hand and notarial seal.

My Commission Expires:
APRIL 2, 1982

Notary Public Denis L. Koehlinger
Residing in ALLEN County

Prepared by:
Nieter, Dixon & Whitmore
222 Utility Building
Fort Wayne, Indiana

55

67-121-10 H.I.
4/23/79

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT, Charles H. McIntosh and Cora M. McIntosh, husband and wife, for and in consideration of One Dollar and other valuable consideration, grant and convey to The City of Fort Wayne, Indiana, a permanent 10 foot uniform width easement across the East side of the following described real estate, located in the County of Allen, State of Indiana, for the purpose of the construction and maintenance of a sewer line:

Lot Number 8, Gerke's Trier Road Addition, Section I, as recorded in Plat Book 18, page 157.

Dated this 20th day of APRIL, 1979.

Charles H. McIntosh
Charles H. McIntosh

Cora M. McIntosh
Cora M. McIntosh

On this 20th day of APRIL, 1979, personally appeared Charles H. McIntosh and Cora M. McIntosh, husband and wife, and each acknowledged the execution of the above and foregoing Grant of Easement.

WITNESS my hand and notarial seal.

My Commission Expires:
April 2, 1982

Denis L. Koehlinger
Notary Public Denis L. Koehlinger
Residing in Allen County

Prepared by:
Nieter, Dixon & Whitmore
222 Utility Building
Fort Wayne, Indiana

To Be Recorded

55

67-121-10 H.I.
4/23/79

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT, Charles H. McIntosh and Cora M. McIntosh, husband and wife, for and in consideration of One Dollar and other valuable consideration, grant and convey to The City of Fort Wayne, Indiana, a permanent 15 foot uniform width easement across the North side of the following described real estate, located in the County of Allen, State of Indiana, for the purpose of the construction and maintenance of a sewer line:

Lot Number 7, Gerke's Trier Road Addition, Section I, as recorded in Plat Book 18, page 157.

Dated this 20th day of April, 1979.

Charles H. McIntosh

Cora M. McIntosh

On this 20th day of April, 1979, personally appeared Charles H. McIntosh and Cora M. McIntosh, husband and wife, and each acknowledged the execution of the above and foregoing Grant of Easement.

WITNESS my hand and notarial seal.

My Commission Expires:
April 2, 1983

Notary Public Denis L. Koehlinger
Residing in Allen County

Prepared by:
Nieter, Dixon & Whitmore
222 Utility Building
Fort Wayne, Indiana

T. B. RECORDED

55

67-121-10 H.I.
4/23/79

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT, Charles H. McIntosh and Cora M. McIntosh, husband and wife, for and in consideration of One Dollar and other valuable consideration, grant and convey to The City of Fort Wayne, Indiana, a temporary 15 foot uniform width easement across the North side of the following described real estate, located in the County of Allen, State of Indiana, for the purpose of the construction of a sewer line:

Lot Number 7, Gerke's Trier Road Addition, Section I, as recorded in Plat Book 18, page 157.

Said temporary easement shall expire one year from the date of the grant hereof.

Dated this 20th day of APRIL, 1979.

Charles H. McIntosh

Cora M. McIntosh

On this 20th day of APRIL, 1979, personally appeared Charles H. McIntosh and Cora M. McIntosh, husband and wife, and each acknowledged the execution of the above and foregoing Grant of Easement.

WITNESS my hand and notarial seal.

My Commission Expires:
APRIL 2, 1982

Notary Public Denis L. Koehlinger
Residing in ALLEN County

Prepared by:
Nieter, Dixon & Whitmore
222 Utility Building
Fort Wayne, Indiana

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F-202

CONSOLIDATED RAIL CORPORATION
1528 Walnut St. - Room 801
PHILADELPHIA, PENNSYLVANIA 19104

Telephone: 215- 893-6396

67-121-9 4/23/79 H.I

Assistant Vice President -
Contracts

The City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

April 4, 1979
File: F-202

Attn: Kenneth N. Traylor, P.E.
Chief Street Engineer

Gentlemen:

Attached, for your records, is fully executed copy of an agreement between your City **and our Corporation dated** January 26, 1979 **covering** drainage ditch longitudinal at V.S. 290+00± south to V.S. 272+75±, between 2.01 and 1.69 miles north of the Station of Fort Wayne, Indiana.

Please contact R. D. Lowery, Engr. of Const., Chicago, Ill., **Telephone:** 312-236-7200, x2400 **at least seven (7) working days prior to desire to start work. No work can begin until this is done and authorization obtained from Mr.** Lowery.

Your attention is again called to Paragraph 19 **of the attached agreement and the last paragraph of our letter of** 1-30-79 **concerning your obtaining approval of installation procedures.**

Very truly yours,

R W Orr

R. W. Orr for JCO
Assistant Vice President -
Contracts

Attachment

CFM:d

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35 UG
8/76

CONSOLIDATED RAIL CORPORATION
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R W Orr

R. W. Orr per JCO
Assistant Vice President -
Contracts

Attachment

CFM:d

original + Recd
5/3 — Date

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CE 66
1-74

LICENSE AGREEMENT FOR WIRE, PIPE AND CABLE TRANSVERSE CROSSINGS AND LONGITUDINAL OCCUPATIONS

THIS AGREEMENT, made this 26th day of January , 19 79

between CONSOLIDATED RAIL CORPORATION, a Pennsylvania Corporation

party of the first part (hereinafter called "Railroad") and THE CITY OF FORT WAYNE, a Political Sub-division of the State of Indiana

, as party of the second part (hereinafter called "Licensee").

WITNESSETH, that the said Railroad (which when used herein shall include any lessor, successor or assignee of or operator over its railroad) insofar as it has the legal right and its present title permits, and in consideration of the covenants and conditions hereinafter stated on the part of the Licensee to be kept and performed, hereby permits, ~~as a temporary license~~, the Licensee to construct, maintain, repair, alter, renew, relocate and ultimately remove a drainage ditch longitudinal occupation and pipe drain crossing, entering our property and right of way at Valuation Station 290+00± and proceeding in a southerly direction to Valuation Station 272+75± at which point said facility crosses under tracks and leaves property, and further between 353 and 2078 feet south of Mile Post 94 and between 2.01 and 1.69 miles north of the Station of Fort Wayne, Allen County, Indiana, all through the lands and under and along and across the roadway and tracks of Railroad.

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in accordance with construction plans Sheets 6 and 7
submitted by Licensee to and approved by the Chief Engineer of Railroad, incorporated herein by reference; also in accordance with current issues of Railroad Specifications Nos. CE 4 and/or CE 8; and shown on Plan No. F-202 , dated January 11, 1979 , marked Exhibit "A", attached hereto and made a part of this Agreement, all and any part thereof being hereafter referred to as the "FACILITIES"; said license, however, shall be under and subject to the following terms, covenants, and conditions as hereinafter recited, which are hereby accepted and agreed to, by the Licensee, to wit:

1. The Licensee shall pay to the Railroad upon the execution hereof, the sum of One Thousand, Three Hundred Dollars ($ 1,300.00) as reimbursement for the rights granted in this Agreement.

2. (a) The FACILITIES shall be located, constructed and maintained in exact accordance with said construction plans and for the purpose as outlined on Page 1. No departure shall be made at any time therefrom except upon permission in writing granted by the Chief Engineer of Railroad, or his designee, provided, however, that if any commission or other regulatory body duly constituted and appointed in compliance with the laws of the State in which the crossing or occupancy herein provided is situate, and having jurisdiction in the premises, has by ruling or other general order determined and fixed the manner and means of construction, maintenance, repair, alteration, renewal, relocation or removal thereof, then said ruling or general order shall prevail for the crossing or occupancy herein mentioned.

(b) The work of constructing, maintaining, repairing, altering, renewing, relocating or removing the said FACILITIES shall be done under such general conditions as will be satisfactory to and approved by the Chief Engineer of Railroad, or his designee, and as will not interfere with the proper and safe use, operation and enjoyment of the property of the Railroad. Licensee, at its own cost and expense, shall, when performing any work in connection with the FACILITIES, furnish any necessary watchmen to see that men, equipment and materials are kept a safe distance away from the tracks of the Railroad.

(c) In addition to, but not in limitation of any of the foregoing provisions, if at any time the Railroad should deem flagmen or watchmen desirable or necessary to protect its operations or property, or its employees, patrons or Licensees during the work of construction, maintenance, repair, alteration, renewal, relocation or removal of said FACILITIES of Licensee, the Railroad shall have the right to place such flagmen or watchmen at the sole risk, cost and expense of Licensee, which covenants and agrees to bear the full cost and expense therof and to promptly reimburse the Railroad upon demand. The furnishing or failure to furnish flagmen or watchmen by the Railroad, however, shall not release the Licensee from any and all other liabilities assumed by the Licensee under the terms of this Agreement.

3. If the Licensee desires or is required, as herein provided, to revise, renew, add to or alter in any manner whatsoever the aforementioned FACILITIES, it shall submit plans to Railroad and obtain the written approval of the Chief Engineer of Railroad thereto before any work or alteration of the structure is performed and the terms and conditions of this Agreement with respect to the original construction shall apply thereto. In that event, Railroad reserves the right to assess additional charges.

4. (a) The Licensee shall at all times be obligated to promptly maintain, repair and renew said FACILITIES; and shall, upon notice in writing from Railroad and requiring it so to do, promptly make such repairs and renewals thereto as may be required by Railroad; or the Railroad, for the purpose of protecting and safeguarding its property, traffic, patrons or employees from damage or injury, may with or without notice to the Licensee at any time make such repairs and renewals thereto and furnish such material therefor as it deems adequate and necessary, all at the sole cost and expense of Licensee.

(b) In the event of an emergency, Licensee will take immediate steps to perform any necessary repairs, and in the event Licensee fails so to do, Railroad will perform said necessary repairs at the sole cost and expense of Licensee.

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5. (a) The supervision over the location of the construction work and inspection of the FACILITIES and the approval of the material used in construction, maintenance, repair, alteration, renewal, relocation and removal of the aforesaid FACILITIES covered by this Agreement shall be within the jurisdictional rights of the Railroad.

(b) The right of supervision over the location of the construction work and inspection of the FACILITIES from time to time thereafter by the Railroad, shall extend for an appropriate distance on each side of the property of the Railroad as the method of construction and materials used may have an important bearing upon the strength and stability of the FACILITIES over, under, upon, or in the property of the Railroad.

6. Licensee shall comply with all Federal, State and local laws, and assume all cost and expense and responsibility in connection therewith, without any liability whatsoever on the part of the Railroad.

7. (a) It is understood between the parties hereto that the operations of the Railroad at or near said FACILITIES involve some risk, and the Licensee as part of the consideration for this license hereby releases and waives any right to ask for or demand damages for or account of loss of or injury to the FACILITIES (and contents thereof) of the Licensee that are over, under, upon, or in the property and facilities of the Railroad including the loss of or interference with service or use thereof and whether attributable to the fault, failure or negligence of the Railroad or otherwise.

(b) And the Licensee also covenants and agrees to and shall at all times indemnify, protect and save harmless the Railroad from and against all cost or expense resulting from any and all losses, damages, detriments, suits, claims, demands, costs and charges which the said Railroad may directly or indirectly suffer, sustain or be subjected to by reason or on account of the construction, placement, attachment, presence, use, maintenance, repair, alteration, renewal, relocation or removal of said FACILITIES in, on, about or from the premises of Railroad whether such losses and damages be suffered or sustained by the Railroad directly or by its employees, patrons, or licensees, or be suffered or sustained by other persons or corporations, including the Licensee, its employees and agents who may seek to hold the Railroad liable therefor, and whether attributable to the fault, failure or negligence of the Railroad or otherwise, except when proved by Licensee to be due directly to the sole negligence of the Railroad.

(c) If a claim or action is made or brought against either party and for which the other party may be responsible hereunder in whole or in part, such other party shall be notified and permitted to participate in the handling or defense of such matter.

8. All cost and expenses in connection with the construction, maintenance, repair, alteration, renewal, relocation and removal of said FACILITIES shall be borne by the Licensee, and in the event of work being performed or material furnished by Railroad under the stipulated right to perform such work of construction, maintenance, repair, alteration, renewal, relocation or removal under any section hereof, Licensee agrees to pay to the Railroad the actual cost of material plus the current applicable overhead percentages for storage, handling, transportation, purchasing and other related material management expenses and the actual cost of labor plus the current applicable overhead percentages as developed and published by the accounting department of Railroad for fringe benefits, payroll taxes, administration, supervision, use of tools, machinery and other equipment, supplies, employers liability insurance, public liability insurance, and other insurance, taxes and all other indirect expenses. It is to be understood that the aforementioned material and labor overhead charges are to be applied at the rates which are effective at the time of the performance of any work by employees of the Railroad on the said FACILITIES. Licensee agrees to pay such bills within thirty (30) days of the presentation thereof by Railroad.

9. The Licensee shall, at its sole cost and expense, upon request in writing of the Railroad, promptly change the location of said FACILITIES covered by this Agreement, where located over, upon or in the property and facilities of the Railroad, to another location, to permit and accommodate changes of grade or alignment and improvement in or additions to the facilities of the Railroad upon land now or hereafter owned or used by the Railroad to the intent that said construction shall at all times comply with the terms and conditions of this Agreement with respect to the

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original construction; or in the event of the lease, sale or disposal of the premises or any part thereof encumbered by this license, then the said Licensee shall make such adjustments or relocations in its facilities as are over, upon or in the property and facilities of the Railroad as may be required by the said Railroad or its grantee; and if the Licensee shall fail or refuse to comply therewith, then the duly authorized agents of the Railroad may make such repairs or adjustments or changes in location and provide necessary material therefor.

10. Upon termination of this Agreement or upon the removal or abandonment of the FACILITIES covered hereby, all the rights, title and interest of the Licensee hereunder shall cease and determine, and this instrument shall thereupon become and be null and void, without any liability on the part of either party to the other party except only as to any liability accrued prior thereto, and the Licensee shall remove its said FACILITIES and appurtenances from Railroad property and right-of-way, and all property of the Railroad shall be restored in good condition and to the satisfaction of the Railroad. If the Licensee fails or refuses to remove its FACILITIES and appurtenances under the foregoing conditions, the Railroad shall be privileged to do so at the cost and expense of the Licensee, and the Railroad shall not be liable in any manner to the Licensee for said removal.

11. In the event the FACILITIES consist of an underground occupation, Licensee will be responsible for any settlement caused to the roadbed, right of way and/or tracks, facilities, and appurtenances of the Railroad arising from or as a result of the installation of the said FACILITIES for a period of one (1) year subsequent to the date of completion of the installation, and Licensee agrees to pay to Railroad on demand the full cost and expense therefor.

12. In the event the said FACILITIES consist of electrical power or communication wires and/or appurtenances, the Licensee shall at all times be obligated promptly to remedy any inductive interference growing out of or resulting from the presence of its FACILITIES; and if the Licensee should fail so to do, then Railroad may do so, and the Licensee agrees to pay to Railroad on demand the full cost and expense therefor.

13. As part of the consideration of the within Agreement, Licensee covenants and agrees that no assessments, taxes or charges of any kind shall be made against Railroad or its property by reason of the construction of said FACILITIES of Licensee, and Licensee further covenants and agrees to pay to Railroad promptly upon bills rendered therefor the full amount of any assessments, taxes or charges of any kind which may be levied, charged, assessed or imposed against the Railroad or its property by reason of the construction and maintenance of said FACILITIES of Licensee.

14. The rights conferred hereby shall be the privilege of the Licensee only, and no assignment or transfer hereof shall be made, or other use be permitted than for the purpose stated on page one without the consent and agreement in writing of the Railroad being first had and obtained.

15. This Agreement shall be terminable upon mutual consent of the parties hereto, provided that this Agreement may be terminated by the Railroad upon the violation of any of the terms, covenants and conditions of this Agreement on the part of the Licensee.

16. This Agreement shall take effect as of the first day of February A.D. 1979, subject to the provisions of Paragraph 19.

17. Anything herein contained to the contrary notwithstanding, there shall be no obligation on the part of the Railroad to continue operation of the line of railroad in the vicinity of the FACILITIES to prevent the termination of the Licensee's occupation rights at any crossing or occupation covered hereunder on account of an abandonment of line or service by the Railroad; nor shall there be any obligation upon the Railroad to perfect its title in order to continue in existence the said occupation rights after such abandonment of line or service.

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9. This Agreement is authorized to be entered into by Resolution, or Ordinance No. 67-54-15 Adopted Jun. 22 1979 By a Certified Copy of which is attached hereto.

10. This Agreement will not become valid until the method of installation and all related matters have been approved by the Chief Engineer - Design & Construction of Railroad or his duly designated representatives.

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THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE WAYNE STREET • FORT WAYNE, INDIANA 46802

board of public works

CERTIFICATION

I, Ursula Miller, the duly appointed and acting Clerk of the Board of Public Works of City of Fort Wayne, Indiana, hereby Certify that the attached Capital Improvement Resolution No. 67-88-6 concerning Fernhill Avenue Extended is a true and complete copy of said Resolution as passed by the Board of Public Works on March 21, 1979.

Ursula Miller

URSULA MILLER

Subscribed and sworn to before me a Notary Public this 21st day of March, 1979.

Elizabeth J. Meyer

ELIZABETH J. MEYER
NOTARY PUBLIC
RESIDENT OF ALLEN COUNTY, INDIANA

My Commission expires:

February 12, 1981

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RESOLUTION NO. 67-88-6

WHEREAS, the City of Fort Wayne wishes to construct Fernhill Avenue Extended between Wells Street and Northrop Avenue; and

WHEREAS, representatives of the Board of Public Works have prepared detailed plans and specifications for said improvement; and

WHEREAS, said improvement will require City of Fort Wayne to obtain a License from Consolidated Rail Corporation:

NOW, THEREFORE, the City of Fort Wayne by and through its Board of Public Works hereby authorizes its Board of Public Works to enter into Agreement dated January 26, 1979 with Consolidated Rail Corporation covering drain pipe between 2.01 and 1.69 miles north of the Station of Fort Wayne and designates Henry P. Wehrenberg, Chairman of the Board of Public Works, to execute said Agreement on behalf of the City.

Approved this 21st day of March, 1979.

Henry P. Wehrenberg

Ethel N. Poe

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

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CE-66
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The terms of this Agreement shall be binding and effective upon all the parties hereto, and unless and until terminated, as hereinbefore provided, this Agreement shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns, subject, however, to the provisions of Article 14 of this Agreement.

IN WITNESS WHEREOF, the said parties hereto have caused this Agreement to be duly executed and delivered as of the day and year first above written.

WITNESS:

CONSOLIDATED RAIL CORPORATION

BY R. W. Orr
R. W. Orr
Assistant Vice President - Contracts

WITNESS:

THE CITY OF FORT WAYNE

BY Henry P. Debenberg
Its
May 9 Acct

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

56

NOTED
H.P.W.
E.H.L.
M.G.S.
Date

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

engineering department
7th floor

BOARD OF PUBLIC WORKS April 18, 1979

RECEIVED
APR 19 1979

Mr. R. D. Lowery
Engineer of Construction
Room 476 - Union Station
Chicago, Illinois 60606

Dear Mr. Lowery:

The City of Fort Wayne has received a final executed agreement from Conrail, copy attached. I am concerned about paragraph 19, which states the City of Fort Wayne must have the method of pipe installation approved by the Chief Engineer or his duly designated representative. All letters of correspondence from Mr. R. W. Orr, Assistant Vice President, state that you are the designated representative, and therefore, I respectfully request your approval. The City of Fort Wayne plans to install this pipe under the Conrail tracks all in accordance with a request to the Fort Wayne District Engineer's office, whereby an open cut would be made on the tracks to allow the installation of this pipe. The local District Engineer confirmed that open cutting would be satisfactory, subject to the City of Fort Wayne notifying the railroad seven working days prior to starting work.

In my telephone conversation with you several months ago, you advised that your Senior Inspector, Mr. Warren D. Freeze, would contact the undersigned in an effort to discuss the above-noted items. To date, Mr. Freeze has not contacted the undersigned. Once again, I respectfully request that either you or Mr. Freeze contact the undersigned by April 26, 1979.

Yours truly,

Kenneth N. Traylor

Kenneth N. Traylor, P.E.
Chief Street Engineer

KNT/lj

cc: Board of Works

AN EQUAL OPPORTUNITY EMPLOYER

OFWBC 1974

R.R. FILE: F-202
EXHIBIT "A"
1-11-79

PLAN

"DEHNER"

INDIANA SERVICE CORPORATION

"BORDEN CO."

"RICHARD G EBNIT"

IRVINGTON

CON-RAIL R.R.

E CROSSING
STA. 272+75±
2078' SO OF MP 94
1.69 MI. N. OF STATION
OF FT. WAYNE, IND.

V.S. 272+90 ±

V240
3

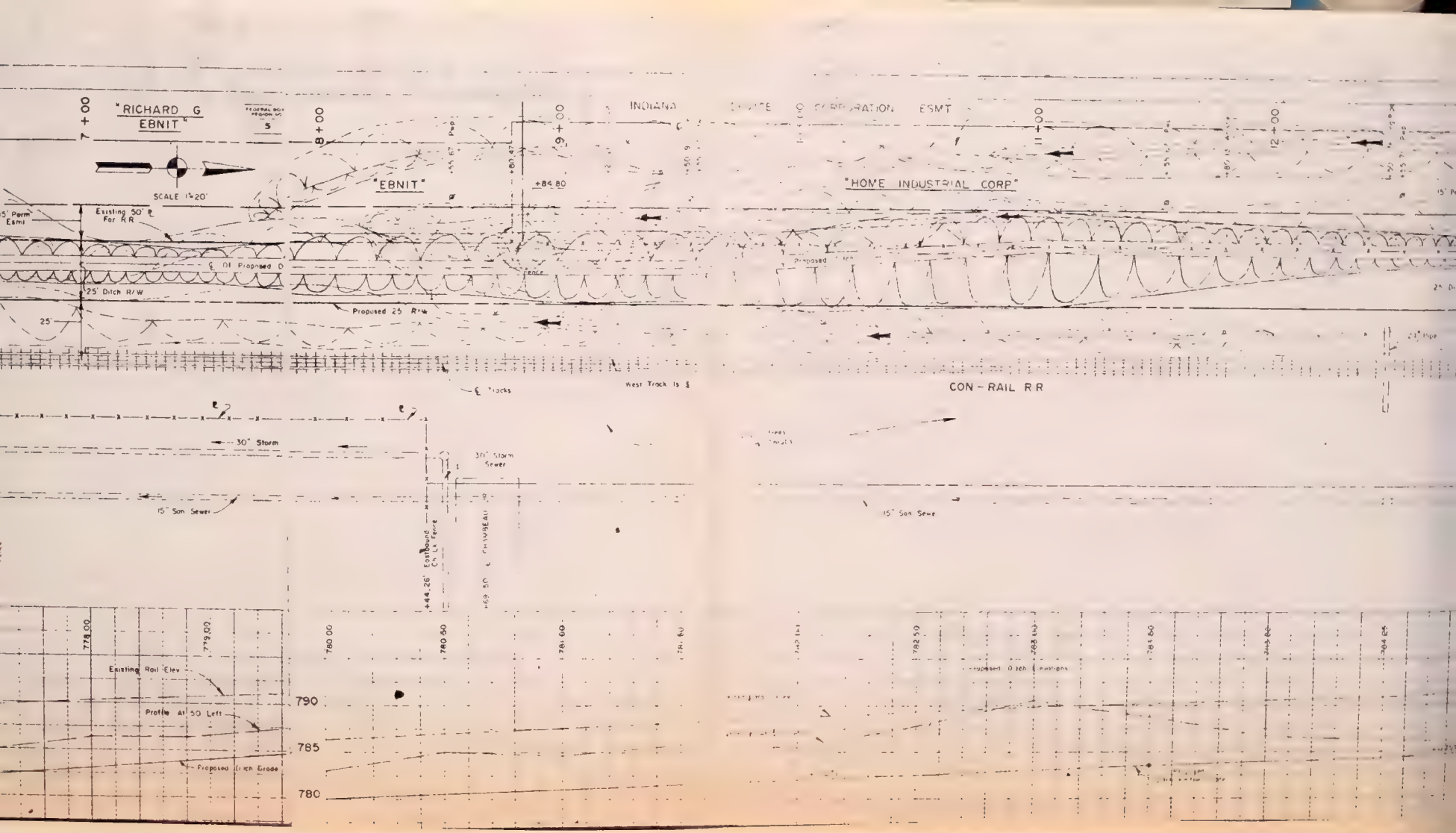
DITCH OCCUPATION
BET. V.S. 272+90± & V.S. 290+00±

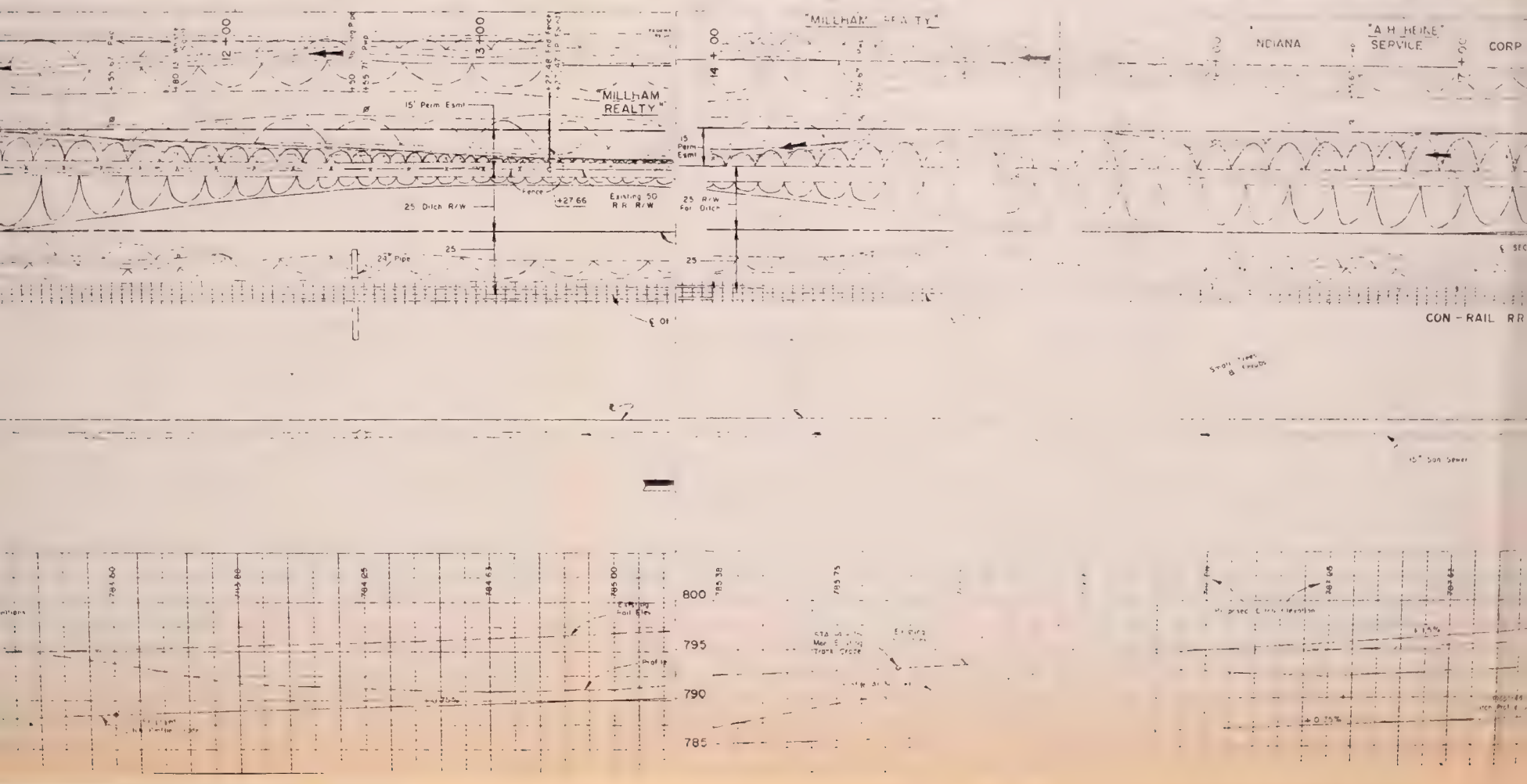
+55.95
+90.25
+90.50
+90.65
+90, 47' Ch Lk Fence
+00
+44.05
+42.60' Pwp
+45.48 Pwp Anchor
+51.475' I P (Found)
+39.67' Pwp
+34.50' Pwp
+45.66' Pwp
+55.66' Pwp
+85.613' ℄ House
+60.26' Eastbound Fence

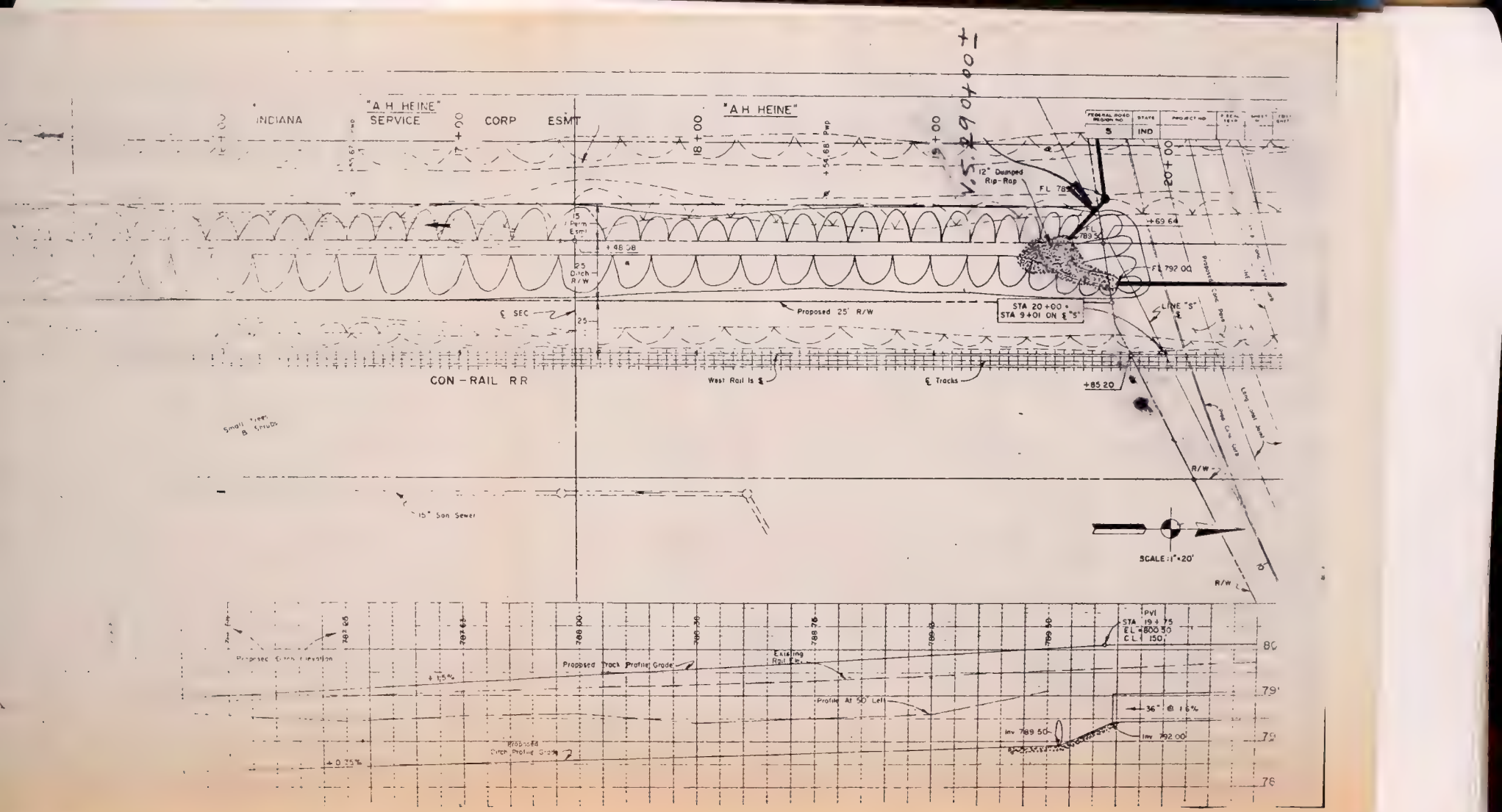
2+00
3+00
4+00
5+00
6+00
7+00
8+00

772.00
773.00
774.00
775.00
776.00
777.00
778.00
779.00
780.00

Bottom of Ditch - West
Existing Row ℄
Profile At 50' Left
Camp & Soil
12" Dumped Riprap
FL 770.00±
Pipe Anchor Req'd
Small Trees
45°
Steel Tower
FL 772.00±
Silv. No Special Structure Wingwalls & 90° CC MP Req'd
15" Storm
15" Son Sewer
Proposed Ditch Elevation
Proposed Ditch Grade
+2.0 %
Existing Row ℄
Profile At 50' Left
Encroachment on Ease
15" Son Sewer
10" Storm
Existing 50' R/W
15' Perm. Esmt
25' Ditch R/W
Pipe Anchor
SCALE 1"=20'


"RICHARD G EBNIT"
SCALE 1"=20'
Existing 50' R For R/R
25' Ditch R/W
Proposed 25' R/W
"EBNIT"
INDIANA
"HOME INDUSTRIAL CORP"
CON-RAIL R/R
30" Storm
15" San Sewer
30" Storm Sewer
Existing Rail Elev
Profile At 50' Left
Proposed Ditch Grade
790
785
780


"MILLHAM REALTY"
"A H HEINE" SERVICE
INDIANA
CORP
MILLHAM REALTY
15' Perm Esmt
25 Ditch R/W
+27.66
Existing 50 RR R/W
25 R/W for Ditch
15 Perm Esmt
24" Pipe
25
CON - RAIL RR
12+00
13+00
14+00
800
795
790
785


INDIANA
"A H HEINE"
SERVICE CORP ESMT
"A H HEINE"
18+00
19+00
20+00
12" Dumped Rip-Rap
FL 789
+69 64
FL 792 00
+48 08
15' Perm Esmt
25' Ditch R/W
Proposed 25' R/W
℄ SEC
STA 20+00 = STA 9+01 ON ℄ "S"
LINE "S" ℄
CON-RAIL RR
West Rail is ℄
℄ Tracks
+85 20
Small Tree & Shrubs
15" San Sewer
R/W
SCALE: 1"=20'
PVI STA 19+75 EL 800 50 C L 150'
Proposed Track Profile Grade
Existing Rail Elev
Profile At 50' Left
36" @ 1.5%
Inv 789 50
Inv 792 00
Proposed Ditch Profile Grade
+1.5%
+0.75%
80
79
78

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67-117-11 H.I. 4/18/79

A G R E E M E N T

THIS AGREEMENT, made this 18 day of April 1979 by and between Gene Keller and Sons, Inc., hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA an Indiana Municipal Corporation, hereinafter referred to as "CITY",

W I T N E S S E T H:

WHEREAS, Edward E. Keller, Sr. and Barbara J. Keller, Husband and wife, have platted the following described tract into forty-six (46) lots as an addition to the City of Fort Wayne known as "Tamera Place", which tract is described:

Part of the Northwest Quarter of the Southeast Quarter of Section 25,Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the North line of the Southease Quarter of said Section with the centerline of Decatur Road being marked by a P.K. nail set; thence South 29 degrees 35 minutes 00 seconds East (bear ing taken from Federal Highway #27 Plans, Project #141,1928) along said centerline, a distance of 613.98 feet to a P.K. nail set; thence South 65 degrees 10 minutes 26 seconds West, a distance of 430.95 feet to a pin found, thence South 00 degrees 52 minutes 14 seconds East, a distance of 390.62 feet to a pipe found on the North line of Butz Subdivision as recorded in Plat Book 8, Page 48 in the Office of the Allen County Recorder; thence South 72 degrees 24 minutes 52 seconds West, along said North line, a distance of 568.06 feet to a pin found on the East line of Home Gardens Addition as recorded in Plat Book 8, Page 79 in the Office of said Recorder, also being the West line of the Southeast Quarter of said Section 25; thence North 01 degrees 28 minutes 03 seconds East, along said line, a distance of 1268.92 feet to a pin found on the North line of the Southeast Quarter of said Section 25, thence North 89 degrees 15 minutes 01 seconds East, along said line a distance of 686.15 feet to the point of beginning containing 18.85 Acres of land, more or less.

EXCEPTING therefrom 45 feet off the Northeasterly border thereof as released and Quit-claimed to the State of Indiana for the benefit of the State Highway Commission per Deed Record #355, page #601; containing 0.65 acres, more or less, of land: containing a NET AREA of 18.20 acres, more or less, of land; SUBJECT TO a 5 ft. x 15 ft. easement and 5 ft. x 30 ft. easement for guy wire purposes of Indiana and Michigan Electric Company as recorded in Document No. 74-03805; SUBJECT TO a blanket easement to Indiana Service Corporation recorded in Deed Record 404, page 21 and subject to a 25 ft. easement to Indiana and Michigan Electric Company as recorded in Deed Record 685, page 263.

WHEREAS, the developer further desires to construct and dedicate sanitary sewers within Tamera Place in accordance with the conditional approved plans heretofore submitted to the City and now on file in the office of the Water Pollution Control Engineering Department of the City and being more commonly known as Tamera Place Addition Sanitary Sewers, and

WHEREAS, the Developer has proposed to connect the above mentioned sanitary sewer into an existing thirty (30) inch public sanitary sewer which presently has down-stream flow restriction, and

WHEREAS, the City has proposed in the future to renovate this inadequate downstream sanitary sewer by the installation of a sanitary relief sewer to be known as the "Hillcrest Addition Relief Sanitary Sewer", and

WHEREAS, the City has conditionally approved the installation of a public sanitary sewer system for the Tamera Place, providing the Developer agrees to financially participate in the renovation of the inadequate downstream sanitary sewer system by payment of the amount of Five Hundred Dollars ($500.00) per acre for the acreage within Tamera Place.

NOW, THEREFORE, the parties agree as follows:

1. CONTRIBUTION TO DOWNSTREAM SANITARY SEWER: The Developer shall pay to the City Five Hundred Dollars ($500.00) per acre for the acreage contained within Tamera Place for its pro rata share towards the renovation of the inadequate downstream sanitary sewer.
2. ACCEPTANCE OF CONTRIBUTION PAYMENT: The Developer acknowledges and hereby accepts the responsibility for the payment of the above mentioned contribution even though it is not now nor will be the legal property owner of the above described tract or any part thereof.
3. CONTRIBUTION PAYMENT SCHEDULE: The Developer agrees to pay its contribution of Five Hundred Dollars ($500.00) per acre for the acreage contained in the above described tract within thirty (30) days after receipt of written notice from the City. Such notice may not be given by the City until after a contract has been awarded by the City to renovate the downstream sanitary sewer system.
4. PLAN APPROVAL AND SEWER ACCEPTANCE: The City's execution of this document constitutes approval of the Sanitary Sewer Plans for Tamera Place as submitted by Developer and based upon a recommendation by the City's Water Pollution Control Department that the constructed sanitary sewers do meet the requirements as set forth in the City's specification, will accept these sanitary sewers as public, and sewer taps for residences constructed in Tamera Place may be made.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day, month and year first above written.

ATTEST

Barbara J. Keller
Barbara J. Keller, Secretary

Gene Keller & Sons, Inc.
DEVELOPER:

By Edward E. Keller Sr.
Edward E. Keller, Sr., President

BOARD OF PUBLIC WORKS:

Henry P. Whrenberg
Henry P. Whrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST:

Ursula Miller
Ursula Miller, Clerk

STATE OF INDIANA:

SS

COUNTY OF ALLEN:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Edward E. Keller, Sr. and Barbara J. Keller, as President and Secretary of Gene Keller & Sons, Inc., who acknowledged the execution of the foregoing agreement for sewer extension for and on behalf of such Corporation.

WITNESS my hand and notarial seal this 12th day of April, 1979.

Notary Public

My Commission Expires

10-23-79

This instrument prepared by
P.R. Boller, P.E.
Chief Water Pollution Control Engineer

67-112-2 H.I.
4/12/79

79- 15040

SEWER EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY

For the condemnation of Permanent and Temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3).

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for Permanent and Temporary sewer easement purposes to construct, operate, control and maintain a sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East, and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East; bounded on the North by the South right-of-way line of Ludwig Road; bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road; bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3); more particularly described as follows:

I. The following described Permanent and Temporary easements are located within Ludwig Park Addition as recorded by Plat Book 23 pages 49 and 50.

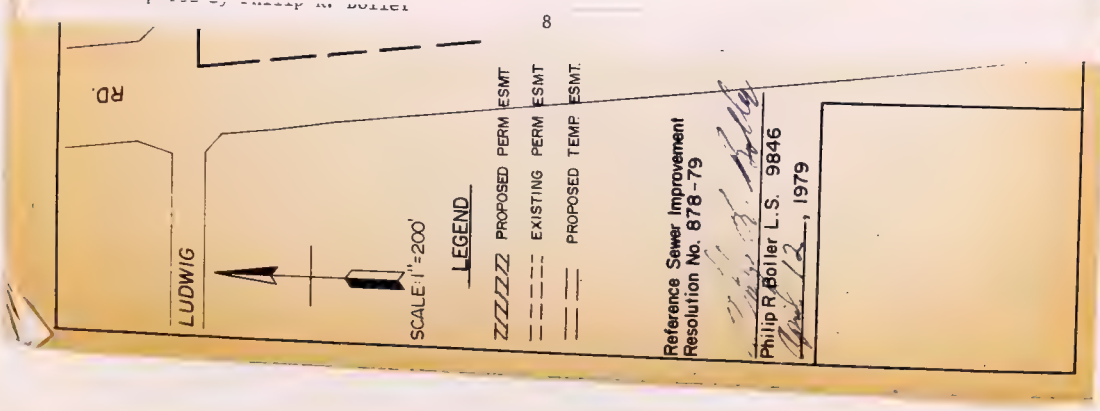
Permanent Easement

1. The North 6 feet of the South 12 feet of lots 4 thru 20 inclusive.
2. The East 6 feet of the North 58 feet of the South 119 feet of lot 4.
3. The South 8 feet of lot 1.
4. The West 6 feet of the North 61 feet of of lot 2.
5. The West 7 feet of lot 16.
6. The East 7 feet of lot 17.
7. The West 7 feet of lot 21.
8. The West 7 feet of lot 72.
9. The East 7 feet of lot 73.
10. The North 5 feet of the South 11 feet of lots 39 thru 48 inclusive.

DULY ENTERED FOR TAXATION
JUN - 4 1979
Gloria J. Goeglein
AUDITOR OF ALLEN COUNTY

Dennis - #7061

1350 C BG



11. The South 5 feet of the North 11 feet of lots 54 thru 59 inclusive.

12. The North 5 feet of the South 17 feet of lots 86 and 87.

13. The West 11 feet of lot 87.

14. The East 3 feet of lots 88 and 89.

15. The East 7 feet of lot 53A.

16. The East 6 feet of the South 58 feet of lot 1.

Temporary Easement

1. The North 10 feet of the South 18 feet of lot 1.

2. The West 10 feet of the East 16 feet of the South 119 feet of lot 4.

3. The East 10 feet of the West 16 feet of the North 35 feet of lot 2.

4. The East 10 feet of the West 16 feet of the South 55 feet of lot 2.

5. The East 5 feet of the West 11 feet of lot 3.

6. The East 10 feet of the West 16 feet of the North 30 feet of lot 3.

7. The East 20 feet of the West 26 feet of the South 55 feet of lot 3.

8. The West 5 feet of the East 11 feet of lot 37.

9. The West 10 feet of the East 16 feet of the North 80 feet of lot 37.

10. The West 10 feet of the East 16 feet of the South 75 feet of lot 37.

11. The North 10 feet of the South 22 feet of lots 4 thru 20 inclusive.

12. The South 10 feet of the North 16 feet of lots 21 thru 37 inclusive.

13. The North 15 feet of the South 26 feet of lots 39 thru 48 inclusive.

14. The North 10 feet of the South 16 feet of lots 49 thru 51 inclusive.

15. The South 5 feet of the North 11 feet of lots 64 thru 69 inclusive.

16. The South 10 feet of the North 16 feet of lots 60 thru 63 inclusive.

17. The South 15 feet of the North 26 feet of lots 54 thru 59 inclusive.

18. The North 10 feet of the South 13 feet of lot 52.

19. The North 10 feet of the South 22 feet of lots 73 thru 78 inclusive.

20. The North 10 feet of the South 22 feet of lots 79 thru 85 inclusive.

Prepared by Philip R. Boller

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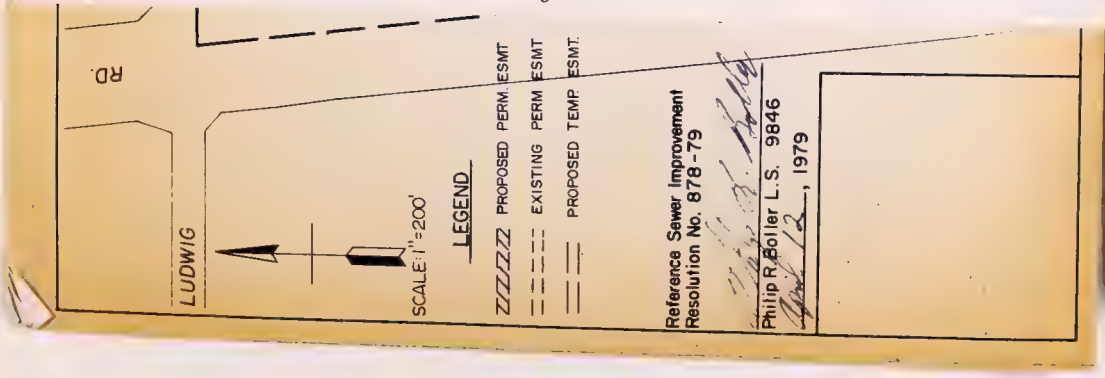


21. The North 10 feet of the South 27 feet of lots 86 and 87.

22. The East 10 feet of the West 21 feet of lot 87.

23. The West 10 feet of the East 13 feet of lot 88.

24. The East 10 feet of the West 17 feet of lot 72.

25. The West 10 feet of the East 17 feet of the South 85 feet of lot 73.

26. The West 10 feet of the East 17 feet of the North 50 feet of lot 73.

27. The East 10 feet of the West 16 feet of the South 75 feet of lot 71.

28. The West 15 feet of the East 21 feet of the South 65 feet of lot 69.

29. The West 15 feet of the East 21 feet of the North 115 feet of lot 69.

30. The East 10 feet of the West 16 feet of lot 70.

31. The West 15 feet of the East 21 feet of the South 80 feet of lot 39.

32. The West 5 feet of the East 11 feet of lot 39.

33. The East 15 feet of the West 21 feet of the North 65 feet of lot 38.

34. The West 10 feet of the East 17 feet of lot 53A.

35. The South 10 feet of the North 16 feet of lot 70.

36. The North 10 feet of the South 16 feet of lot 38.

37. The South 10 feet of the North 16 feet of lot 2.

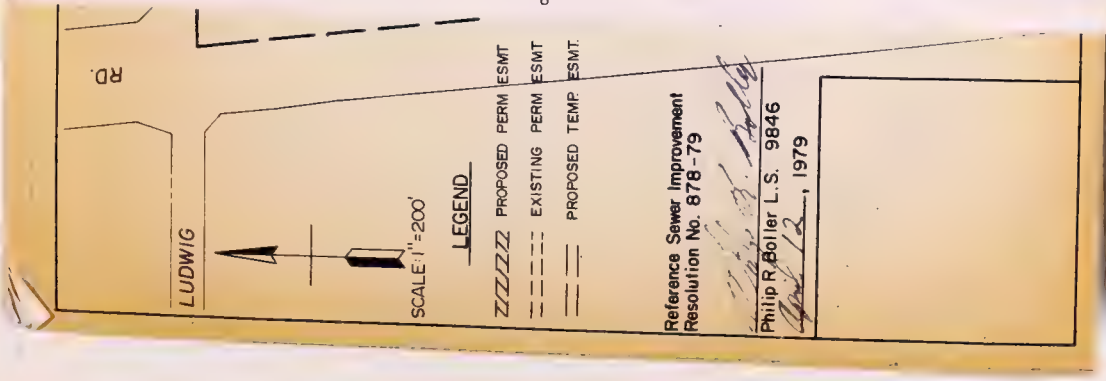
38. The East 10 feet of the West 16 feet of the South 58 feet of lot 1.

11. The following described temporary easement is located within Rodenbeck's Addition as recorded by Plat Book 19 page 155.

Temporary Easement

1. The North 10 feet of lots 1 thru 14 inclusive.

III. The following described permanent and temporary easements are located within Rodenbeck's 2nd Addition as recorded in Plat Book 20 page 64.



Permanent Easement

1. The South 10 feet of lots 15 thru 24 inclusive.

2. The North 10 feet of the East 30 feet of lot 27.

3. The North 10 feet of the West 30 feet of lot 28.

Temporary Easement

1. The North 10 feet of the South 20 feet of lots 15 thru 24 inclusive.

2. The South 10 feet of lots 25 and 26.

3. The North 10 feet of lots 27 thru 38 inclusive.

IV. The following described Permanent and Temporary easements are located within Rodenbeck's 3rd Addition as recorded in Plat Book 21 page 113.

Permanent Easement

1. The South 10 feet of lots 39 thru 49 inclusive.

2. The South 10 feet of the East 40 feet of lot 50.

Temporary Easement

1. The North 10 feet of the South 20 feet of lots 39 thru 49 inclusive.

2. The North 10 feet of the South 20 feet of the East 40 feet of lot 50.

3. The North 10 feet of the South 22 feet of lots 51 thru 62 inclusive.

V. The following described Permanent and Temporary easements are located within Rodenbeck's 4th Addition as recorded in Plat Book 26 page 93.

Permanent Easement

1. The North 10 feet of lots 76 thru 86 inclusive.

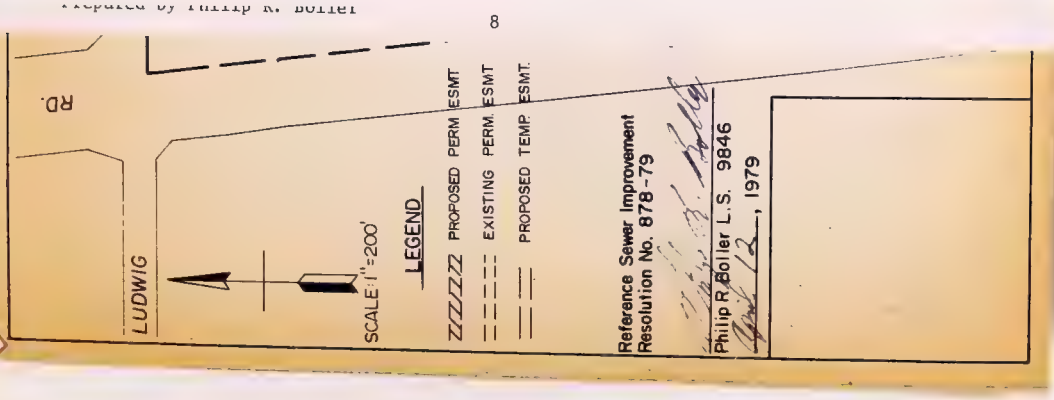
Temporary Easement

1. The South 10 feet of the North 20 feet of lots 76 thru 86 inclusive.

2. The South 10 feet of the North 22 feet of lots 63 thru 74 inclusive.

VI. The following described Permanent and Temporary easements are located within Rodenbeck's 5th Addition as recorded by Plat Book 25 Page 35.

Prepared by Philip R. Boller



Permanent Easement

1. The West 14 feet of lot 35.

2. The East 6 feet of the West 12 feet of lot 2.

Temporary Easements

1. The East 10 feet of the West 24 feet of lot 35.

2. The East 10 feet of the West 22 feet of lot 2.

3. The West 10 feet of the East 16 feet of the South 60 feet of lot 3.

4. The West 10 feet of the East 16 feet of the North 115 feet of lot 3.

5. The East 10 feet of the West 16 feet of lot 1.

6. The South 10 feet of the North 22 feet of lots 3 thru 8 inclusive.

7. The East 20 feet of the West 32 feet of lot 23.

8. The East 10 feet of the West 22 feet of lots 14 thru 22 inclusive.

9. The South 10 feet of the North 22 feet of lots 9 thru 14 inclusive.

10. The North 10 feet of the South 22 feet of lot 72.

VII. The following described Permanent and Temporary easements are located within subdivision of tract 5 of Dreyer's Subdivision as recorded by Plat Book 19, Page 95.

Permanent Easement

1. The South 7 feet of lot 1.

2. The South 7 feet of lot 2.

3. The North 7 feet of lot 24.

4. The East 7 feet of lots 21 thru 24 inclusive.

Temporary Easements

1. The West 10 feet of the East 17 feet of lots 21 thru 24 inclusive.

2. The South 10 feet of the North 17 feet of lot 24.

3. The North 10 feet of the South 17 feet of lots 1 and 2.

4. The East 20 feet of the South 50 feet of lot 2.

Prepared by Philip R. Boller

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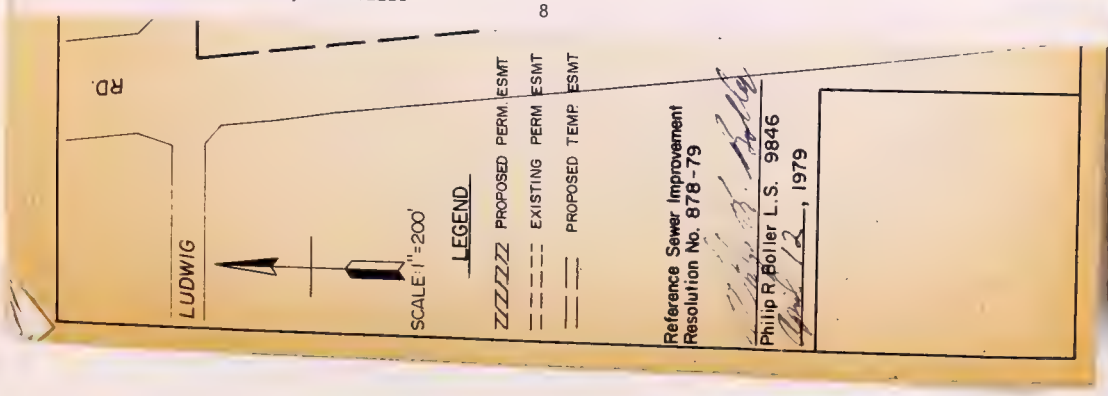


IX. The following described Permanent and Tempoerary easements are located within part of the Southwest Quarter of the Southeast Quarter of Section 15, Township 31 North, Range 12 East (Washington Township), Allen County, Indiana affecting tracts now or formerly owned by:

Dale H. Scherer as recorded by instrument number 77-26703

Harry E. Sr. & Ethel Meyer as recorded by Deed Book 543, Page 552.

James D. & Erma Warren generally described as the North 154.5 feet of the South 558.2 feet East of Indiana Service Corporation right-of-way of the Southwest Quarter, Southeast Quarter, Section 15, Township 31 North, Range 12 East.

Nancy L. Maines as recorded by Instrument Number 77-33562

Fort Wayne Country Foods as recorded by Instrument Number 78-27072

Elvin E. & Ginger E. V. Jones generally described as the South 130 feet of the North 482.2 feet East of Indiana Service Corporation right-of-way of the Southwest Quarter, Southeast Quarter, Section 15, Township 31 North, Range 12 East.

Samuel & Linda Sloffer as recorded by Instrument Number 78-31267

Margaret Gardner as recorded by Instrument Number 78-14427

Edwin & Leona Yates as recorded by Deed Book 478, Page 458

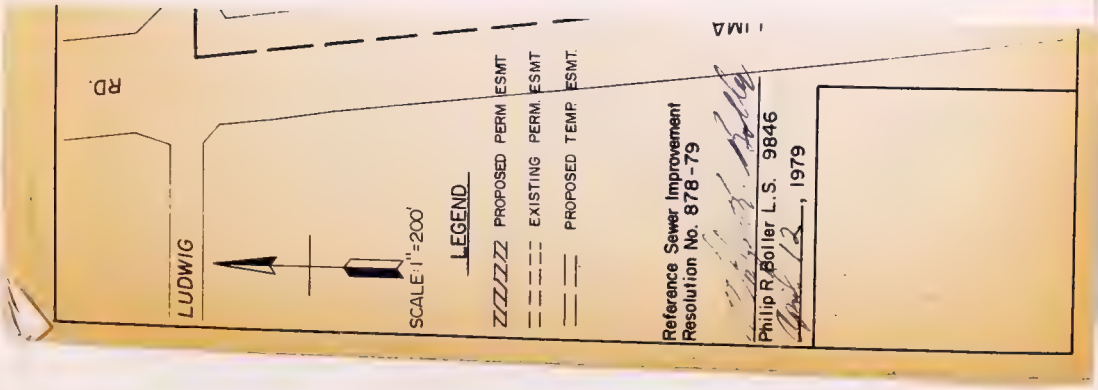
or more particularly described as follows:

Permanent Easement

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter, Section 15, Township 31 North, Range 12 East; to be referred to hereinafter as "said Southwest Quarter"; thence North 25 feet along the East line of said Southwest Quarter to the North right-of-way line of Washington Center Road to the true point of beginning; thence North 1295 feet along the West line of said Southwest Quarter to the Northeast corner of said Southwest Quarter; thence West 12 feet along the North line of said Southwest Quarter; thence South 1094.3 feet along a line parallel to the East line of said Southwest Quarter; thence East 5 feet parallel to the South line of said Southwest Quarter; thence South 200.7 feet along a line parallel to the East line of said Southwest Quarter to the North right-of-way line of Washington Center Road; thence East 7 feet along the North right-of-way line of Washington Center Road to said true point of beginning and there terminating.

Temporary Easement

Beginning at the Southeast corner of the Southwest Quarter of Southeast Quarter, Section 15, Township 31 North, Range 12 East; thence North 140.7 feet along the East line of said Southwest Quarter, thence West 7 feet parallel to the South line of said Southwest Quarter to true point of beginning; thence North 85 feet along a line parallel to the



East line of said Southwest Quarter; thence West 5 feet parallel to the South line of said Southwest Quarter; thence North 1094.3 feet parallel to the East line of said Southwest Quarter to the North line of said Southwest Quarter; thence West 10 feet along the North line of said Southwest Quarter; thence South 1179.3 feet parallel to the East line of said Southwest Quareter; Thence East 15 feet parallel to the South line of said Southwest Quarter of said true point of beginning and there terminating.

X. The following described Permanent and Temporary easements are located on space now or formerly owned by Walter and Emma Rodenbeck located within a portion of the Southwest Quarter of Section 14, Township 31 North, Range 12 East; generally described as Southwest Quarter except Tracts sold Section 14, Township 31 North, Range 12 East.

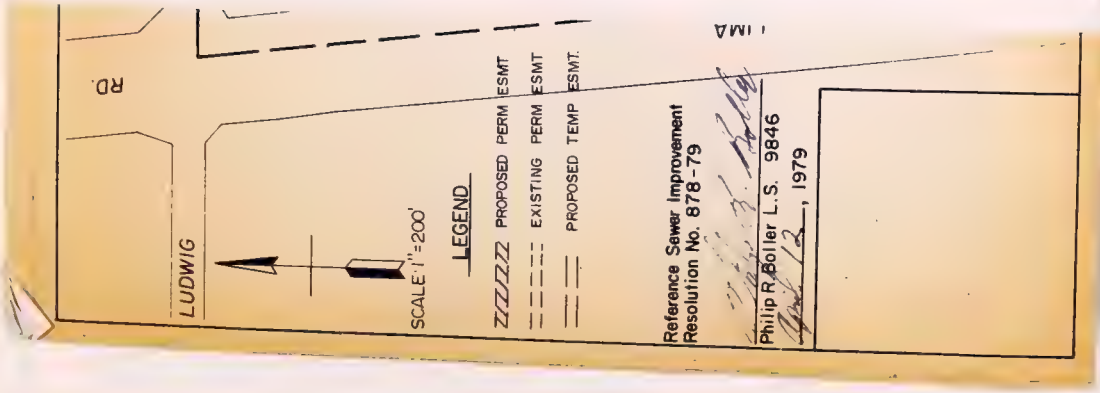
Permanent Easement

Commencing at the Northeast corner of Rodenbeck's Addition as recorded in Plat Book 19, Page 155; thence East 50 along the North line of the Northwest Quarter of Section 14, Township 31 North, Range 12 East: thence South 37.5 to the true point of beginning on the East right-of-way line of Rodenbeck Drive; thence South 1827.5 along the East right-of-way of Rodenbeck Drive to the Northwest corner of the vacated lot 117 of Rodenbeck's 7th Addition as recorded in Plat Book 31 Page 16; thence East 140 along the North property line of the above said lot 117; thence South 30 feet parallel to the East right-of-way line of Rodenbeck Drive to a point, said point being the Northwest corner of land now or formerly owned by Wilmer and D. Rodenbeck as recorded by Deed Book 501, Page 109: thence East 14 feet along the North property line of above said space as recorded by Deed Book 501, Page 109; thence North 44 feet along a line parallel to the East right-of-way line of Rodenbeck Drive; thence West 144 along a line parallel to the North property line of the above said lot 117; thence North 1813.5 to the North property line of the above described space; thence West 10 feet along the South right-of-way line of Ludwig Road to the true point of beginning and there terminating.

Temporary Easement

An easement 10 feet in uniform width laying East of, North of and immediately adjacent to the above described Permanent easement.

XI. The following described Permanent and Temporary easement are located on a space generally described as the North 100 feet of the South 760 feet of the West 200 feet of the East 655 feet West of Railroad in the Southwest Quarter Section 14, Township 31 North, Range 12 East now or formerly owned by Wilmer and D. Rodenbeck as recorded by Deed Book 501, Page 109.



Permanent Easement

The North 30 feet of the West 14 feet of above described space.

Temporary Easement

An easement 20 feet in uniform width laying East of and immediately adjacent to the above described Permanent easement.

All according to the method and manner provided for in I.C. 18-1-1.5-5 and 14 and I.C. 18-1-7-1 to 11 and the provisions of all acts amendatory thereto and supplemental thereof, including the right of bond assessments as in said law ordered.

Assessments, if deferred, are to be paid in ten (10) equal installments with interest at the rate of six (6) percent per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such monies as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assesment of property, collection of assessments and issuance of bonds therefore, shall be provided for in said above entitled act and all amendments thereto and supplemental thereof.

All land affected by the above described condemnation is situated within the Southeast Quareter of Section 15, Township 31 North, Range 12 East, the Southwest Quarter of Section 14, Township 31 North, Range 12 East, and the Northeast Quarter of the Northeast Quarter of Section 22, Township 31 North, Range 12 East. All as shown on the attached drawings.

The Temporary Sewer Easement shall expire one (1) year from the date of adoption.

ADOPTED THIS 12 DAY OF April, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
HENRY P. WEHRENBERG, CHAIRMAN

Ethel H. LaMar
ETHEL H. LAMAR, MEMBER

Max G Scott
MAX G SCOTT, MEMBER

ATTEST:

Ursula Miller
URSULA MILLER, CLERK

REFERENCE RESOLUTION NO. 878-1979

Prepared by Philip R. Boller

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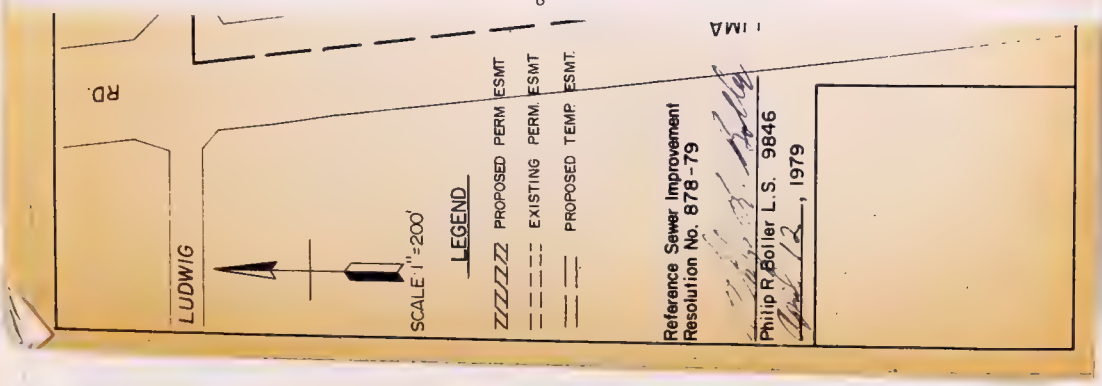
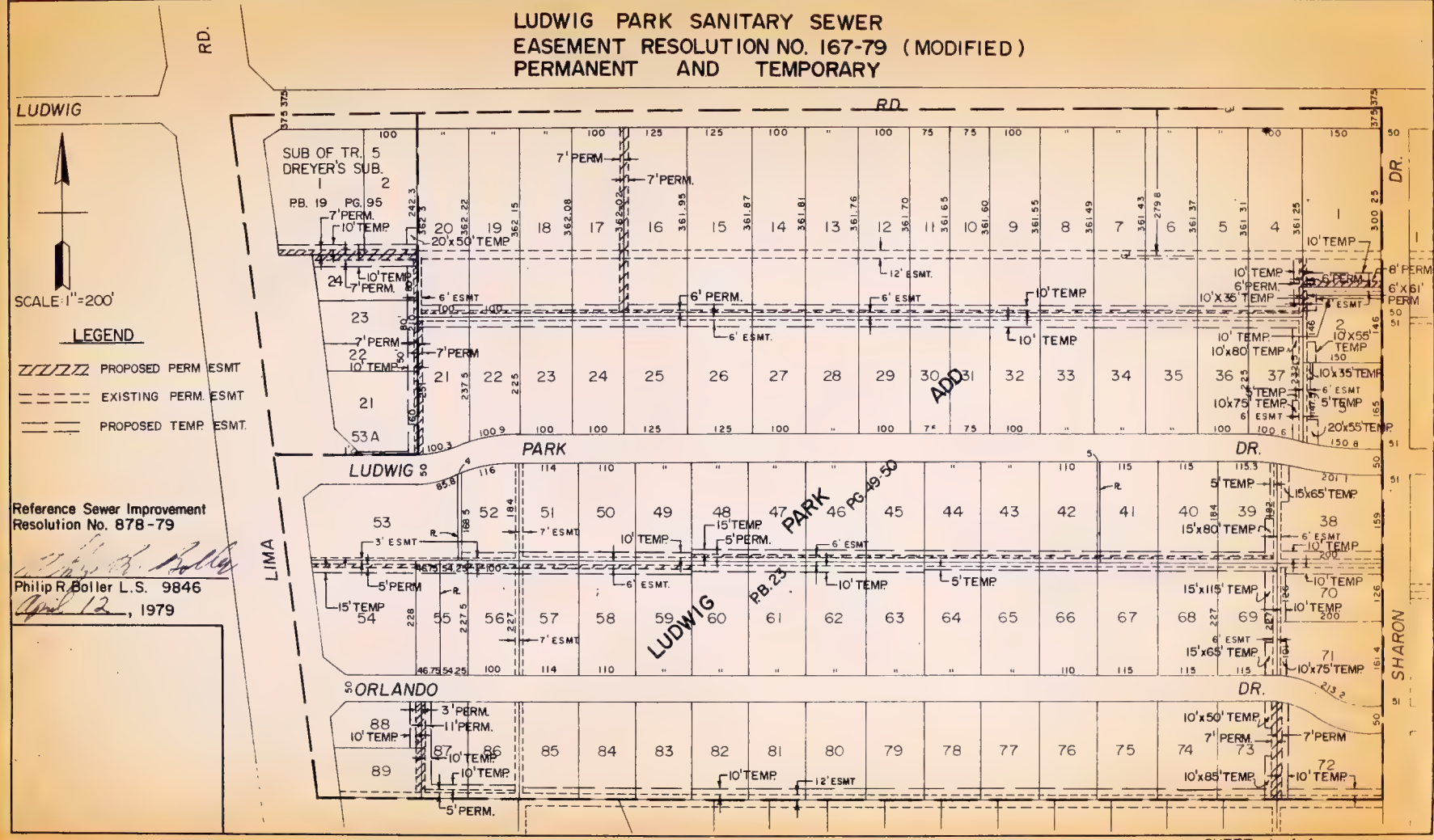
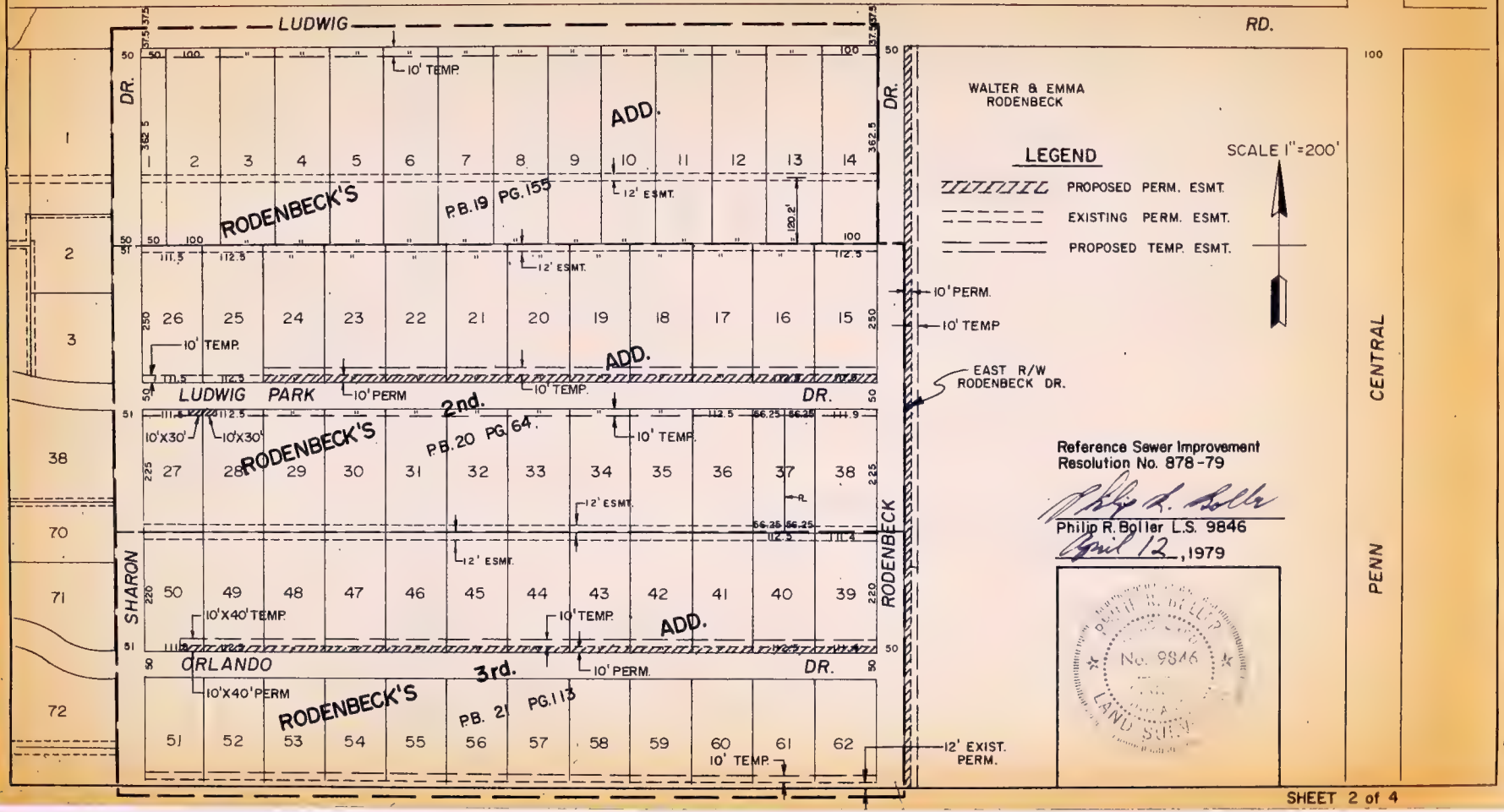


LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY



SHEET 1 of 4

LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY

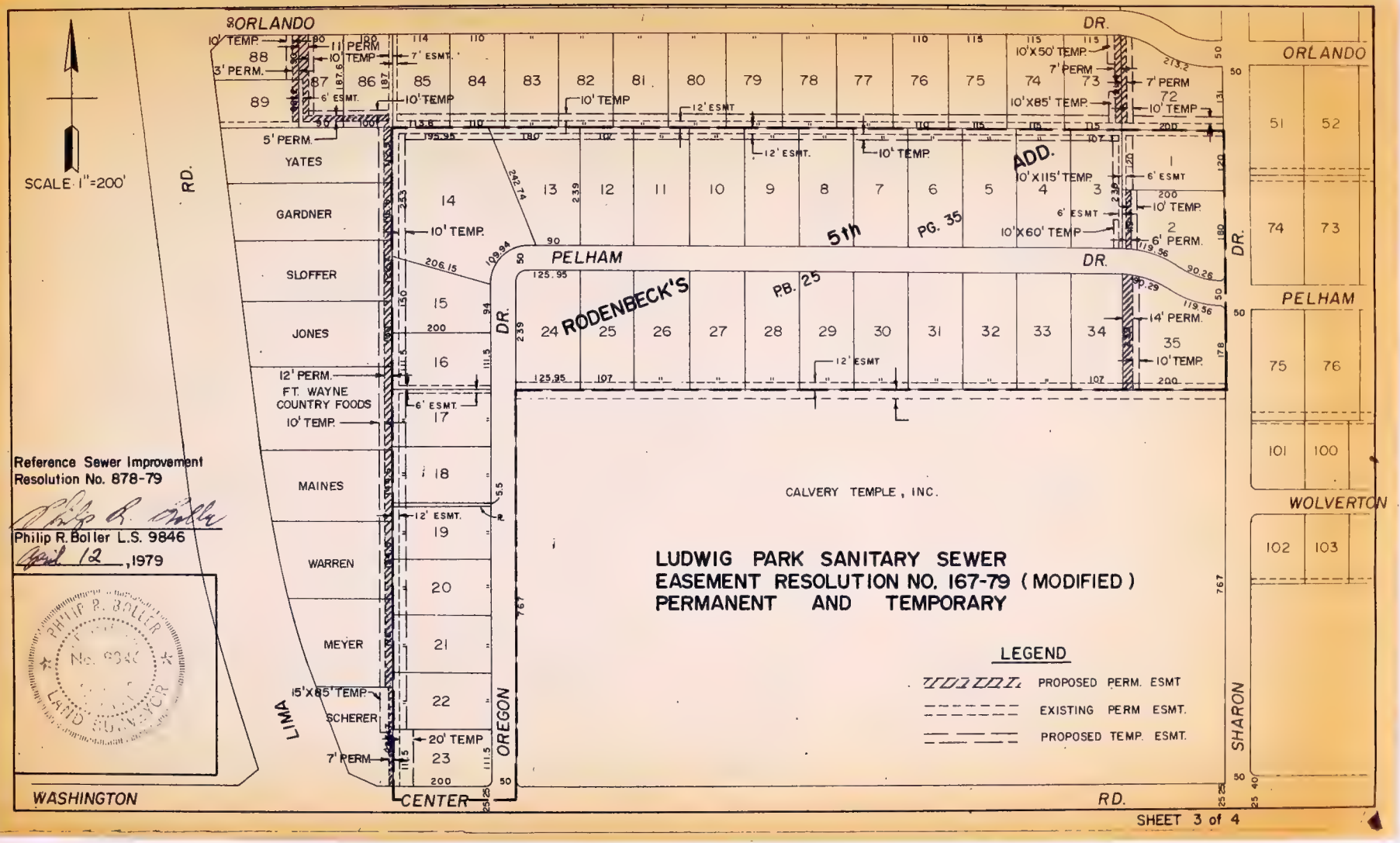


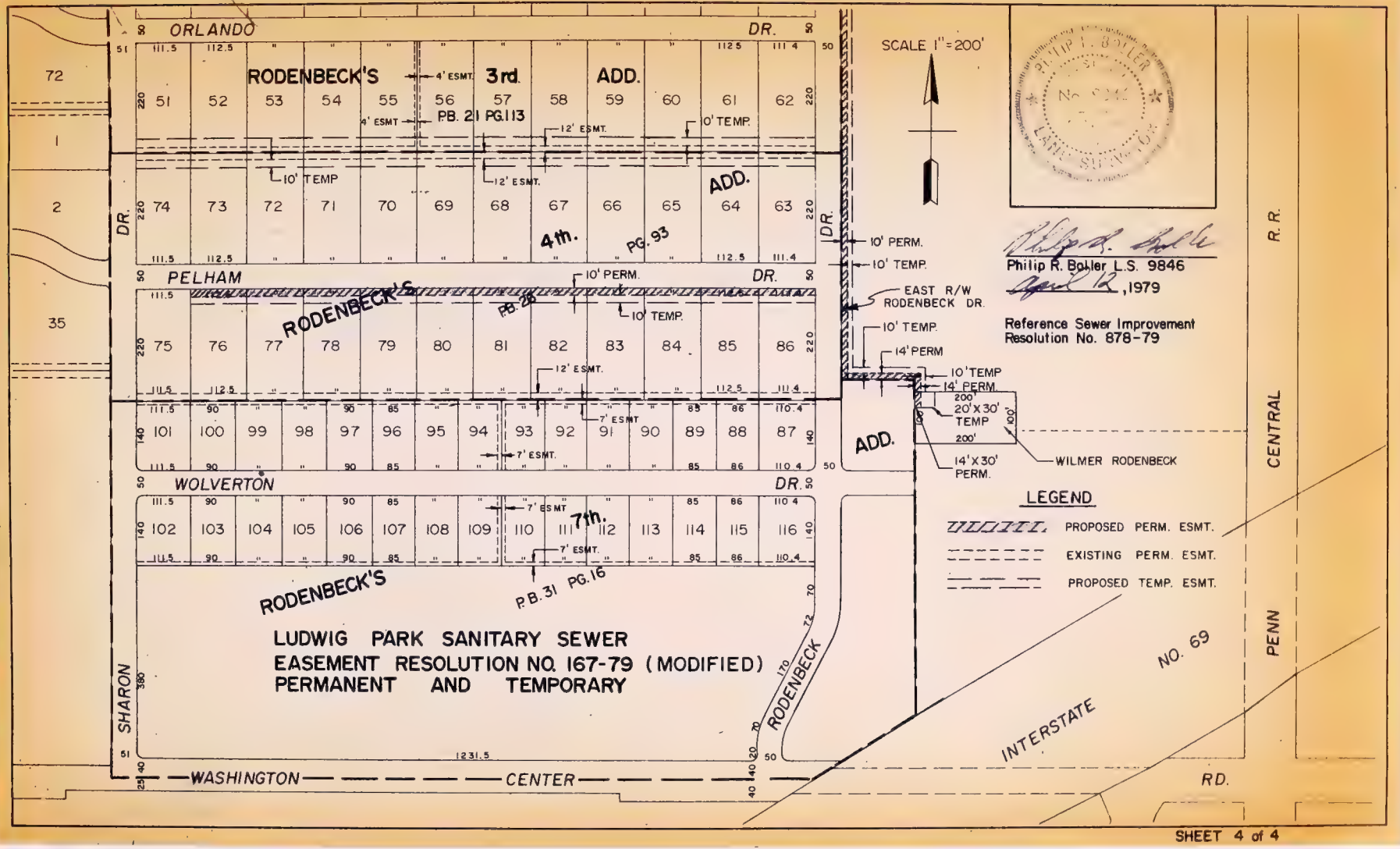
Reference Sewer Improvement
Resolution No. 878-79

Philip R. Boller L.S. 9846

April 12, 1979

PHILIP R. BOLLER No. 9846 LAND SURV.


ORLANDO
DR.
SCALE 1"=200'
RD.
YATES
GARDNER
SLOFFER
JONES
FT. WAYNE COUNTRY FOODS
MAINES
WARREN
MEYER
SCHERER
LIMA
OREGON
DR.
CENTER
WASHINGTON
RD.
PELHAM
DR.
RODENBECK'S
P.B. 25
5th ADD.
PG. 35
CALVERY TEMPLE, INC.
ORLANDO
PELHAM
WOLVERTON
SHARON
LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY
LEGEND
PROPOSED PERM. ESMT
EXISTING PERM ESMT.
PROPOSED TEMP. ESMT.
Reference Sewer Improvement
Resolution No. 878-79
Philip R. Boller L.S. 9846
April 12, 1979
PHILIP R. BOLLER
No. 9846
LAND SURVEYOR


ORLANDO DR.
RODENBECK'S 3rd. ADD.
4' ESMT.
P.B. 21 PG.113
12' ESMT.
10' TEMP.
10' TEMP
12' ESMT.
ADD.
4th.
PG. 93
DR.
PELHAM
10' PERM.
10' TEMP.
RODENBECK'S
P.B. 20
12' ESMT.
7' ESMT
7' ESMT.
ADD.
WOLVERTON
7th.
RODENBECK'S
P.B. 31 PG. 16
LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY
SHARON
WASHINGTON — CENTER
RODENBECK
INTERSTATE
NO. 69
CENTRAL
PENN
R.R.
RD.
SCALE 1" = 200'
10' PERM.
10' TEMP.
EAST R/W RODENBECK DR.
10' TEMP.
14' PERM
10' TEMP
14' PERM.
200'
20' X 30' TEMP
200'
100'
100'
14' X 30' PERM.
WILMER RODENBECK
LEGEND
PROPOSED PERM. ESMT.
EXISTING PERM. ESMT.
PROPOSED TEMP. ESMT.
PHILIP R. BOLLER
No. 9846
LAND SURVEYOR
Philip R. Boller L.S. 9846
April 12, 1979
Reference Sewer Improvement
Resolution No. 878-79

SHEET 4 of 4

59

BO. 40-79

DULY ENTERED FOR TAXATION

JUN - 4 1979

AUDITOR OF ALLEN COUNTY

79- 15122

67-106-7 H.I. 4/9/79

S-79-79 5/8/79

THIS AGREEMENT made in triplicate this 9th day of April , 1979 by and between WESTWOOD DEVELOPMENT INC. hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "City", WITNESSETH:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

LINE A

Beginning at a proposed pump station located in the northeast corner, Lot 15 of Westwood Valley, Section 1; thence southwesterly generally following the north property line of Lots 15 through 29 inclusive, one thousand fifteen ± lineal feet terminating at a proposed manhole located 5± lineal feet east of the northwest corner of Lot 30 of Said Addition.

LINE B

Beginning at a proposed sanitary sewer manhole located 1± lineal feet west of and 5± lineal feet south of the northwest corner of Lot 20 of Said Addition, then southeasterly 290± lineal feet to a proposed manhole located on the northeast corner of Lot 45 of Said Addition, then southwesterly in and along an easement to the rear of Lots 42 through 45 and 31 through 35 inclusive, 800± lineal feet terminating at a proposed manhole.

LINE C

Beginning at a proposed pump station located near the northeast corner of Lot 15 thence southerly in an easement to the rear of Lots 7 through 14 inclusive, 1160± lineal feet terminating at a proposed clean-out located 5± lineal feet south of and 5± lineal feet west of the northeast corner of Lot 6 of Said Addition.

LINE D

Beginning at a proposed manhole located 1± lineal feet north of and 5± lineal feet west of the southeast corner of Lot 8 of Said Addition, thence westerly 310± lineal feet to a proposed manhole located on the common property corners of Lots 49 and 56 of Said Addition, thence northerly 195± lineal feet to a proposed manhole located 1± lineal feet east of and 5± lineal feet north of the southeast corner of Lot 52 of Said Addition.

All sewers consist of 8-inch sewer pipe in accordance with plans, specifications and profiles heretofore submitted to the City and now on file in the office of the Chief W.P.C. Engineer of the City Utilities of the City, and known as Westwood Valley Section 1 Sanitary Sewers, which plans, specifications and profiles are by reference incorporated herein and made a part hereof.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

2061 Sab/1

1. CONSTRUCTION OF SEWER:

The Developer shall cause said sewer to be constructed in accordance with said plans, specifications, and ordinances, all approved by the City, under private contract to be let within sixty (60) days after request by City engineer. All work and materials shall be subject to inspection by City and the right of City to halt construction if shall be noncompliance therewith. Said sewer shall not be opened permanently connected into the sewer system of City until final approval by City. Upon completion, said sewer shall become the property of City and City shall accept sewage therefrom, subject to such sewage service charges as may now or hereafter be regularly established by City, and all further maintenance thereafter shall be borne by City.

2. COST OF CONSTRUCTION:

The Developer agrees to pay the entire cost and expense of construction of said sewer, in cash, including City inspection fees, and shall hold City harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER:

Said sewer, when accepted by the City will serve the following portion of described real estate.

The West Half of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, Allen County, Indiana, lying South of the Ditch and more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, Allen County, Indiana; thence South 00 deg. 20 min. 31 sec. East (assumed bearing) along the West line of said Northeast Quarter, 1382.2 feet to the Southwest corner of said Northeast Quarter; thence North 89 deg. 47 min. 08 sec. East along the South line of said Northeast Quarter, 1320.25 feet to the Southeast corner of the West Half of said Northeast Quarter; thence North 00 deg. 20 min. 05 sec. West along said East line, 1382.2 feet to the South line of said Northeast Quarter; thence South 89 deg. 00 min. 00 sec. West along said South line 1320.25 feet to the point of beginning; containing 27.26 acres, more or less, and subject to a right-of-way for West State Blvd. over the South 30 feet thereof, and all other legal easements and rights-of-way of record, of which Westwood Valley Section 1 represents the above.

As the Developer will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and monthly sewage treatment charges as are customarily charged by the City for connection into City sewer mains and treatment of sewage therefrom.

4. CHARGE AGAINST DEVELOPER'S AREA:

An area connection charge of 14.622 acres at $210/acre and 2.501 acres at $200/acre must be paid to City before any construction of sewer. These charges are in addition to the local charge to install the sewer. These charges satisfy area connection and trunk facilities for the City of Fox Run Interceptor Res. 121 and Feuhaus Ditch Sanitary Sewer Interceptor System Res. 65-31A-C.

5. BOND:

This contract is subject to Contractor furnishing a satisfactory Guaranty Bond for 25 per cent of the value of the sewer which shall

[illegible] said sewer system [illegible] [illegible]
from the date of final acceptance of said sewer by said City.

6. LIMITATION OF USE:

Said sewer shall be constructed for the sole purpose of [illegible],
and neither the parties hereto, their successors, or assigns or any
future owner of any land serviced by said sewer, shall at any time
discharge or permit to be discharged or to flow into said sanitary
any water runoff caused by natural precipitation or anything other
sanitary sewage or contaminated sewage.

7. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION:

The Developer, for himself, his successors in title and assigns,
and releases any and all rights which it may now or hereafter
remonstrate against or otherwise object to, interfere with or oppose any
pending or future annexation by City of any territory now or hereafter
owned by him, as described in Article 3 herein, or hereafter served by
said sewer or any extension thereof.

In further consideration and to induce City to execute and re[illegible]
contract, said Developer, for himself, his successors and assigns,
by this contract to vest in City the permanent right at its discretion
sewer to the City of Fort Wayne at any future time by duly [illegible]
ordinance the said real estate described in Article 3 herein.

Developer further agrees that any deeds, contracts, or other instruments
of conveyance made by the Developer, its successors or assigns,
transferring or conveying any interest or title in and to any of the said
estate described in Article 3 herein, shall contain the waiver and the
provisions contained in this article, which provisions shall run with
the land and the acceptance of the delivery of any such instrument
from the Developer, his successors and assigns by any grantee, vendee,
or contract purchaser, shall be made subject to the terms of this
Agreement and shall constitute an acceptance of the foregoing provisions
by said grantee, vendee, or contract purchaser and their successors in
title.

The Developer further agrees to record an executed copy of this contract
in the Allen County Recorder's Office within ten (10) days of its
adoption and approval by the Common Council of City as herein
provided.

Any owner of owners of land which is now, or hereafter located outside
the corporate limits of City who connect into the sewer constructed
hereunder shall be deemed to thereby waive his, her, their, or its right
to remonstrate against or otherwise object to, interfere with or oppose
any pending or future annexation by City of such land or territory in
which it is located or of the area served by said sewer.

8. CONFLICTING ENACTMENT:

It is the intention of the parties hereto to utilize and take advantage
of and apply to this Agreement the provisions of Sections 14, 15, and 16
of Chapter 100 of the Acts of 1949 of the General Assembly of Indiana (I.C. 19-2-7-14,
I.C. 19-2-7-15, I.C. 19-2-7-16), the provisions of which Sections shall
govern with respect to any matters not specifically outlined herein.

to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

WESTWOOD DEVELOPMENT INC.

James I. Pallick, President

Steven T. Cadwallader, Secretary

CITY OF FORT WAYNE, INDIANA

BY Robert E. Armstrong
Robert E. Armstrong, Mayor

BOARD OF PUBLIC WORKS

BY Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

BY Ethel H. LaMar
Ethel H. LaMar, Member

BY Max G. Scott
Max G. Scott

ATTEST:
Ursula Miller
Ursula Miller, Clerk

Approved as form and legality:
Larry J. Burke
Associate City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Pallick & Steve Cadwallader who acknowledged the execution of the foregoing agreement for sewer extension No. 45-79 and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and notarial seal this 19th day of March, 1980.

Lea J. Hall
Lea J. Hall, Notary Public
Resident of Allen County

My Commission Expires:
5-20-81

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this day personally appeared Robert E. Armstrong, Mayor of the City of Fort Wayne, Indiana, and Ethel H. LaMar, Henry P. Wehrenberg, and Max G. Scott, Members of the Board of Public Works; who acknowledged the execution of the foregoing agreement for sewer extension No. 45-79 and who, having been duly sworn, stated that the representations therein contained are true.

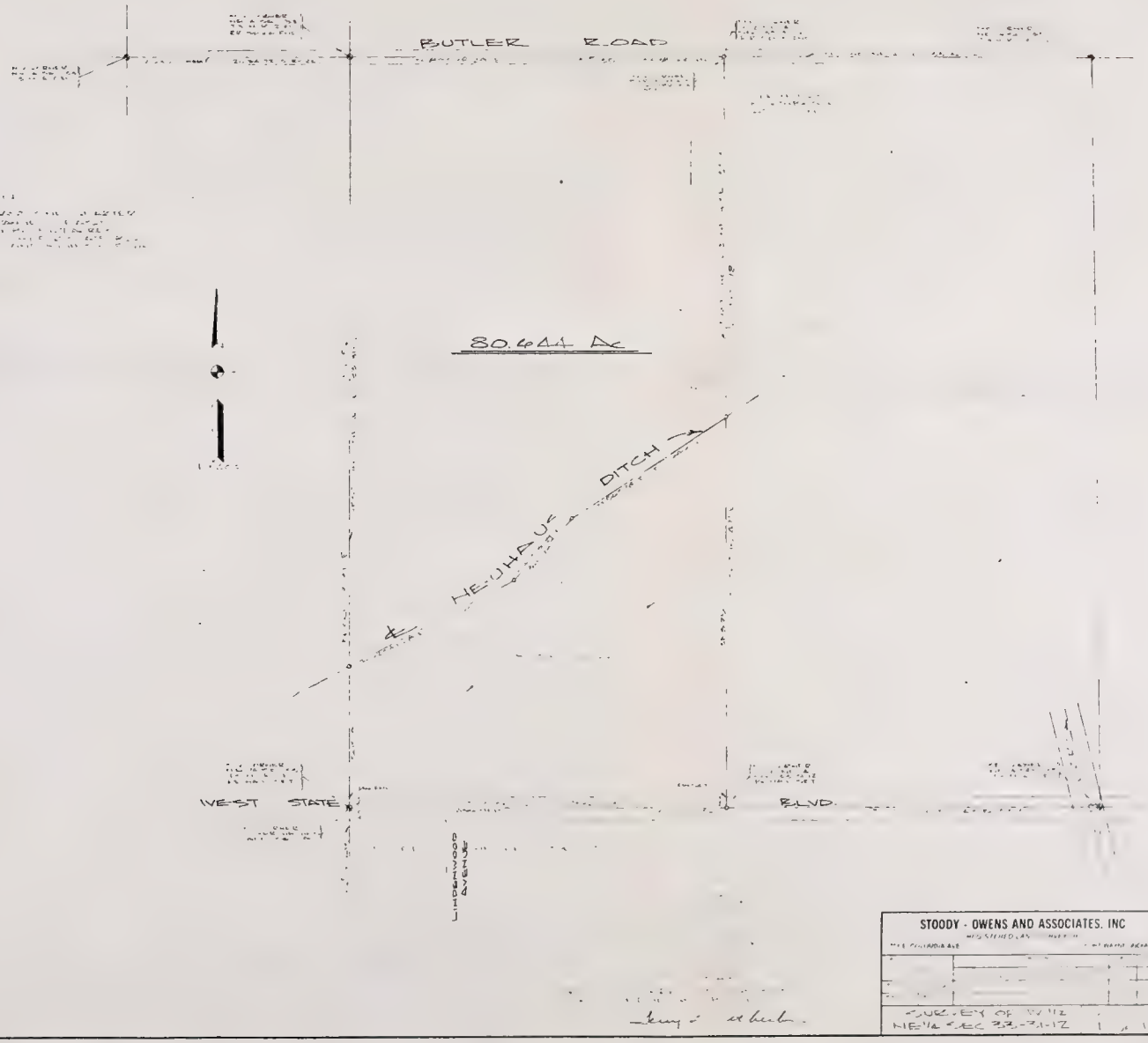
WITNESS my hand and notarial seal this 4 day of April, 1980.

Anne J. Fox
Resident of Allen County, Ind.

My Commission Expires:
3-6-80

This instrument prepared by: Philip R. Boller, Chief W.P.C. Engineer

4



STOODY - OWENS AND ASSOCIATES, INC

SURVEY OF TRACT
NE¼ SEC 33, T-31-12

59

'79

file

Memorandum

To BOARD OF PUBLIC WORKS Date 6/11/79

From PHILIP R. BOLLER, P.E.

Subject WESTWOOD VALLEY SECTION 1 SANITARY SEWER B.O. 40-79
"SANITARY SEWER EXTENSION AGREEMENT"

COPIES TO:

Dammeier
Developer
File

Please find enclosed for your records the original recorded Sewer System Extension Agreement for above subject project.

A copy of the above has been sent to the developer, Mr. James L. Pallick

Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

NOTED
H.P.W.
E.I.
M.C.C.
Date

Attachment

PRB/DE/ds

BOARD OF PUBLIC WORKS
RECEIVED
JUN 12 1979

67-103-17 H.I
4/4/79

A G R E E M E N T

THIS AGREEMENT, is by and between the State of Indiana, acting by and through the Indiana State Highway Commission, hereinafter referred to as the "STATE", and the CITY OF FORT WAYNE hereinafter referred to as the LPA.

W I T N E S S E T H

WHEREAS, through the cooperation of the LPA, the STATE and the Federal Highway Administration, the following project(s), has been approved by the Federal Highway Administration for Federal-Aid funding, namely Project(s) No. MG-F016(3),Item #90471 /MG-F024(2) Item #90473 MG-F016(4), Item #90472 providing for the N&W Railroad Crossing at the two(2) Anthony Blvd. Crossings and Ardmore Blvd., and

WHEREAS, the Federal-Aid funds have been allocated and made available to the STATE for use in connection with the preliminary engineering on these projects, subject to approval of the Federal Highway Administration, and

WHEREAS, the LPA desires to participate in the preliminary engineering on these projects using Federal-Aid funds allocated and made available to the STATE, and

WHEREAS, the STATE is willing for the LPA to participate in the preliminary engineering on these projects, subject to approval of the Federal Highway Administration.

NOW, THEREFORE, in consideration of the mutual covenants, herein contained, the parties hereto mutually covenant and agree as follows:

1. The LPA will comply with the applicable conditions set forth in (1) Title 23, U.S. Code, Highway, (2) the regulations issued pursuant thereto, and (3) the policies and procedures promulgated by the STATE and Federal Highway Administration relative to the projects.

2. The LPA may at its discretion engage a competent and qualified consultant to perform the preliminary engineering for the LPA. The LPA's procedures for selection of consultants will be in accordance with applicable Federal Highway Administration requirements and STATE guidelines. Further, proposed agreements between the LPA and its consultant will be submitted for STATE and Federal Highway Administration approval prior to execution and authorization to proceed with the preliminary engineering work.

3. In the event of Federal participation in railroad companys performing preliminary engineering for a project, the LPA agrees that the STATE will act as the LPA's agent in making payments to the railroads. However, the LPA's share of the cost for preliminary engineering will be the total amount of the railroad company's cost less the amount contributed by the Federal Government through Federal Aid.

4. In the event that acquistion of additional right-of-way is required for these projects the LPA agrees to comply with the right-of-way acquistion and relocation policies and procedures as follows:

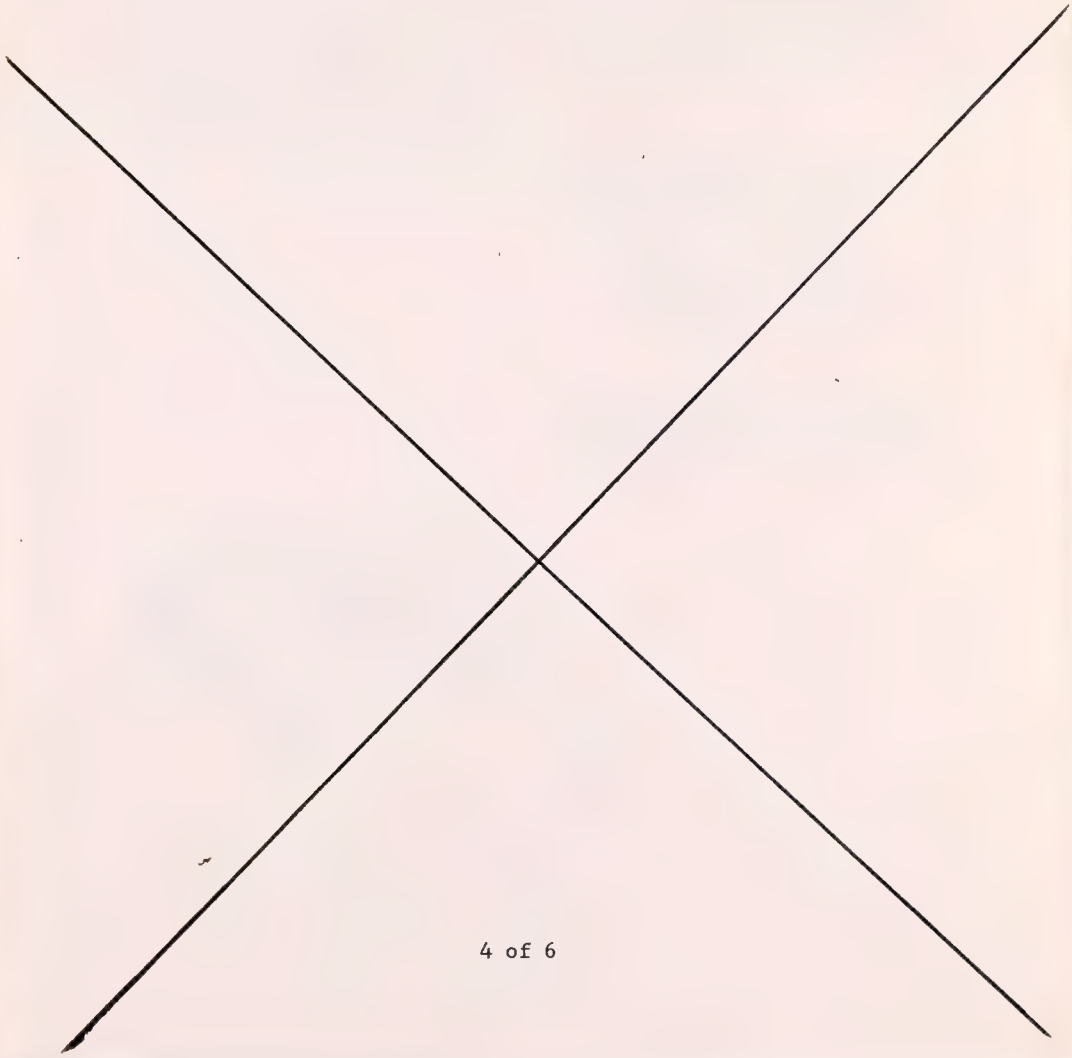
   a. If right-of-way costs are to be programmed for Federal -Aid the LPA agrees to comply with all Federal and State laws, rules, and regulations including Volume 7 of the Federal-Aid Highway Program Manual and PL 91-646, the Uniform Relocation Assistance and Real Property Acquistion Policies Act (84 Stat.1894).

b. If right-of-way costs are not to be programmed for Federal-Aid the LPA agrees to comply with (1) All States rules and regulations, (2) Title III of PL 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (84 Stat. 1894) in the acquisition of right-of-way, and (3) Title II of said Act and Volume 7, Chapter 5 of the Federal-Aid Highway Program Manual in the relocation of individuals, families, businesses, farm operation, etc., if any are involved.

5. The LPA's share of the cost for preliminary engineering will be the total amount of the entire cost incurred by the LPA less the amount contributed by the Federal government through Federal-Aid. The Federal share of all eligible cost is 100% or such other amount as may be allowed and provided by law; payment for any and all costs incurred by the LPA which are not eligible for Federal funding will be the sole obligation of the LPA. If for any reason the STATE is required to repay to the Federal Highway Administration the sum or sums of Federal funds paid to the LPA through the STATE under the terms of this Agreement, then the LPA will repay to the STATE such sum or sums upon receipt of a billing from the STATE.

6. The LPA and its subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times during the contract period and for three years from the date of final payment by the Federal Highway Administration to the LPA thru the STATE under the contract, for inspection by the STATE, Federal Highway Administration or any other authorized representatives of the Federal Government and copies thereof shall be furnished if requested.

7. The LPA agrees to hold harmless and indemnify the STATE and Federal Highway Administration from any and all liability for any act or omitted to be done, by any office, agent, employee, servant or contractor of the LPA in relation to the rights and duties of the LPA under this Agreement.



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IN WITNESS WHEREOF The State of Indiana and the LPA, through their undersigned respective officials, have hereunto affixed their signatures.

BOARD OF PUBLIC WORKS FORT WAYNE

Henry P. Wehrenberg

Max G. Scott

ATTEST:

Secretary Board of Public Works

CITY OF FORT WAYNE

STATE OF INDIANA

BY: INDIANA STATE HIGHWAY COMMISSION

Executive Director
Roger F. Marsh

Secretary of Commission
Jack N. Smitherman

Approved as to legality and form

Attorney General of Indiana
Theodore L. Sendak

MAR 23 1979

ACKNOWLEDGMENT

STATE OF INDIANA)
SS
COUNTY OF ALLEN)

On this 5th day of March, 1979

there appeared before me, a Notary Public in and for said County HENRY P. WEHRENBERG, Chairman; MAX G SCOTT, Member, _____, _____, _____, and URSULA MILLER respectively,

of the Board of Public Works City of Fort Wayne

and stated that the above agreement was signed and attested in behalf of said city.

WITNESS my hand and seal this 5th day of MARCH, 1979

Anne J. Fox
Notary Public ANNE J. FOX
Resident of Allen County, Indiana

My Commission Expires 3/6/80

ACKNOWLEDGMENT

STATE OF INDIANA)
SS
COUNTY OF MARION)

On this 16th day of March, 1979

there appeared before me, a Notary Public in and for said County,

Roger F. Marsh, Executive Director of the Indiana State Highway Commission, and acknowledged the execution of above agreement in behalf of the State of Indiana

WITNESS my hand and seal this 16th day of March, 1979.

Donna K. Drew
Notary Public

My Commission Expires June 15, 1980
County of Residence is Marion.

Prepared by Virgil A Bell
Chief, Div. of State Aid
Virgil A. Bell

61 3-

STATE of INDIANA

INDIANA STATE HIGHWAY COMMISSION
100 North Senate Avenue
Indianapolis, Indiana 46204

INDIANAPOLIS
Room 1101, State Office Building
317-633-5816

February 22, 1979

Pres. Board of Public Works
City of Fort Wayne
City Hall
Fort Wayne, Indiana 46802

NOTED
☐ H.P.W.
☐ E.H.I.
☐ M.G.S.
Date

BOARD OF PUBLIC WORKS
RECEIVED
MAR 01 1979

Re: MG-F016(3), Item #90471, N&W Railroad Crossing at Anthony Blvd.
MG-F016(4), Item #90472, M&W Railroad Crossing at Anthony Blvd.
MG-F024(2), Item #90473, N&W Railroad Crossing at Ardmore Blvd.

To Whom It May Concern:

Enclosed are three (3) copies of the agreement between the Indiana State Highway Commission and the City of Fort Wayne.

Please see that the following list of instructions are completed on all the enclosed copies.

1. Board of Public Works must sign the appropriate lines on page 5 of 6.

2. The Secretary Board of Public Works must attest the agreement on page 5 of 6.

3. A Notary Public must complete appropriate blanks on page 6 of 6 and affix a seal to the document .

The three (3) copies of this agreement must be returned to this office promptly so that the processing may be completed. An executed agreement will be returned to the City at a later date.

At this time it must be brought to the attention of the LPA, that upon completion of the Railroad Crossing Construction the LPA is responsible for the supplying and installation of the Railroad Advance Warning Signs and Pavement Markings. If this work is not completed future Railroad Safety Funds may be withheld.

Also attached for your files, are copies of PR-1240 forms authorizing the Railroad Force Account work for Preliminary Engineering.

Sincerely yours,

Virgil A. Bell
Chief, Div. of State Aid

VAB:RER:mkb

encl.
cc: file

Room 1203,(317) 633-6662

61 3-.

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: MG-F024(2)

STATE PROJECT NO.:

FROM:
G. D. Gibson, Jr.
Division Administrator
Indianapolis, Indiana

PROGRAM NO.:

ITEM NO.: 90473

COUNTY NAME: Allen

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. G. K. Hallock
Chief Highway Engineer
Indiana State Highway Commission
Indianapolis, Indiana 46204

Original to Griffin
Copies- Mr. Hancock
Mr. Morris
~~Mr.~~ Bell
Bob

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	2-7-79	M-F024	City Streets

GENERAL LOCATION:
Ardmore Avenue and Norfolk & Western Railway crossing

GENERAL DESCRIPTION OF WORK:
Preliminary Engineering

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE
☒ LOCATION ONLY includes RRFA
PRELIMINARY ENGINEERING FOR SURVEY AND PLAN
☒ PREPARATION includes RRFA

☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY
CONSTRUCTION - ADVERTISE FOR RECEIPT
☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

cc:
ISHC (3)

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
2/7/79	/s/ J. E. Threlkeld For: Division Administrator	District Engineer

FORM PR-1240 (REV. 6-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1969 O-351-559

61 3-

179

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: MG-F016(4)

STATE PROJECT NO.:

FROM:
G. D. Gibson, Jr.
Division Administrator
Indianapolis, Indiana

PROGRAM NO.:

ITEM NO.: 90472

COUNTY NAME: Allen

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. G. K. Hallock
Chief Highway Engineer
Indiana State Highway Commission
Indianapolis, Indiana 46204

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	2-7-79	M-F016	City Street

GENERAL LOCATION:
Anthony Blvd. and Norfolk & Western Railway crossing ust north of Berry Street in Fort Wayne

GENERAL DESCRIPTION OF WORK:
Preliminary Engineering

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

- ☒ PRELIMINARY ENGINEERING TO DETERMINE LOCATION ONLY includes RRFA
- ☒ PRELIMINARY ENGINEERING FOR SURVEY AND PLAN PREPARATION includes RRFA
- ☐ OTHER (Specify)
- ☐ ACQUISITION OF RIGHT-OF-WAY
- ☐ CONSTRUCTION - ADVERTISE FOR RECEIPT OF BIDS
- ☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

This authorization is with the understanding that preliminary engineering work will not proceed beyond that necessary to prepare a location-design study report until after this office has approved the location-design.

cc:
ISHC (3)

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
2-8-79	For: Division Administrator	District Engineer

FORM PR-1240 (REV. 6-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1978—631 458

61 3-

179

U. S. DEPARTMENT OF TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

LETTER OF APPROVAL AND/OR AUTHORIZATION

FEDERAL AID PROJECT NO.: MG-F016(3)

STATE PROJECT NO.:

FROM:
G. D. Gibson, Jr.
Division Administrator
Indianapolis, Indiana

PROGRAM NO.:

ITEM NO.: 90471

COUNTY NAME: Allen

PROGRAM STAGE (Check) ☐ 1. ☐ 2.

TO:

Mr. G. K. Hallock
Chief Highway Engineer
Indiana State Highway Commission
Indianapolis, Indiana 46204

DATE PS&E APPROVED	DATE AUTHORIZATION EFFECTIVE	FEDERAL ROUTE NUMBER	STATE ROUTE NUMBER
	2/7/79	M-F016	City Street

GENERAL LOCATION:

Anthony Blvd. and Norfolk & Western Railway crossing just south of Hayden Street in Ft. Wayne

GENERAL DESCRIPTION OF WORK:

Preliminary Engineering

YOU ARE AUTHORIZED TO PROCEED WITH THE WORK CHECKED BELOW

PRELIMINARY ENGINEERING TO DETERMINE

☒ LOCATION ONLY — Includes RRFA

PRELIMINARY ENGINEERING FOR SURVEY AND PLAN

☒ PREPARATION — Includes RRFA

☐ OTHER (Specify)

☐ ACQUISITION OF RIGHT-OF-WAY

CONSTRUCTION - ADVERTISE FOR RECEIPT

☐ OF BIDS

☐ CONSTRUCTION - PROCEED ON AN AGREED PRICE AND/OR FORCE ACCOUNT BASIS

REMARKS

This authorization is with the understanding that preliminary engineering work will not proceed beyond that necessary to prepare a location-design study report until after this office has approved the location-design.

cc:
ISHC (3)

DATE	SIGNATURE OF APPROVING OFFICIAL	TITLE
2-8-79	For: Division Administrator	District Engineer

FORM PR-1240 (REV. 8-70) EXISTING STOCKS OF FORM PR-1240 (REV. 6-68) WILL BE USED

☆ U.S. GOVERNMENT PRINTING OFFICE: 1978—631 455

60 62

REQUEST FOR ACTION

S-105-79
6/26/79

To: CITY ATTORNEY WILLIAM N. SALIN

FROM: (NAME, TITLE & DEPARTMENT) BOARD OF PUBLIC WORKS

APPROVED BY Henry P. Wehrenberg
(PERSON AUTHORIZED TO FORWARD LEGAL WORK)

DATE: MAY 18, 1979

SUBJECT: PARTIAL RELEASE OF SEWER EASEMENT & AUTHORIZATION TO EXECUTE QUIT CLAIM DEED
(FILE SUBJECT DESIGNATION)

****

FILE # ASSIGNED BY RECORDS LIBRARIAN

4483

****

ACTION REQUESTED: PLEASE PREPARE AN ORDINANCE TO BE INTRODUCED IN COUNCIL ON JUNE 12, 1979, APPROVING PARTIAL RELEASE OF SEWER EASEMENT & AUTHORIZATION TO EXECUTE QUIT CLAIM DEED FOR REAL ESTATE SITUATED IN PT. OF E½ OF SE¼ OF 14-31-12.

(CONTINUE ON REVERSE SIDE, IF NECESSARY)

CC: CITY ATTORNEY WILLIAM N. SALIN (IF ORIGINAL REQUEST SENT TO ANOTHER ATTORNEY OUTSIDE CITY ATTORNEY'S OFFICE)

DEPARTMENT HEAD OF REQUESTING PARTY

EP

60 62

TITLE OF ORDINANCE SPECIAL ORDINANCE - PARTIAL RELEASE OF SEWER EASEMENT & AUTHORIZATION TO EXECUTE QUIT CLAIM DEED

67-102-10 H.I. 4/4/79

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE PARTIAL RELEASE OF SEWER EASEMENT & AUTHORIZATION TO EXECUTE QUIT CLAIM DEED WHICH INVOLVES THE FOLLOWING: (1) APPROVAL OF RELEASE OF PERMANENT EASEMENT GRANTED TO CITY BY CHARLES N. HALL ON JANUARY 7, 1974 FOR SEWER PURPOSES OF THAT PORTION DESCRIBED AS FOLLOWS:

Part of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:
Commencing at a point 40 feet north and 391 feet west of the Southeast corner of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West and parallel to the South line of said E½, a distance of 338 feet to a point situated 14 feet West of the West line of a 1.0 acre tract conveyed to Nancy D. Cotton and Werner W. Newcomb, Jr. in a deed appearing in Document #75-23036 in the Office of the Recorder of Allen County, Indiana; thence Northerly, by a deflection angle right of 89 degr. 52 min. 30 sec. (recorded 89 degr. 53 min.) and parallel to the West line of said 1.0 acre tract, a distance of 25.0 feet to a point on the Northerly right-of-way line of Washington Center Road as established in Document #72-04797 in the Office of the Recorder of Allen County, Indiana, said point being the true point of beginning; thence continuing Northerly and parallel to the West line of said 1.0 acre tract, a distance of 225.0 feet; thence East and parallel to said South line, a distance of 14.0 feet to the West line of said 1.0 acre tract; thence southerly, on and along the West line of said 1.0 acre tract, a distance of 225.0 feet to said North right-of way line; thence West, on and along said North right-of-way line, a distance of 14.0 feet to the true point of beginning.

NO SEWER HAS BEEN INSTALLED IN SAID EASEMENT AND A BUILDING ENCROACHES ON SAID EASEMENT FOUR (4) FEET. IN EXCHANGE FOR SAID RELEASE, CHARLES N. HALL IS GRANTING A FOURTEEN (14) FOOT SEWER EASEMENT TO CITY IN LOCATION APPROVED BY CITY.

(2) AUTHORIZES MAYOR TO EXECUTE QUIT CLAIM DEED TO RELEASED PORTION OF EASEMENT DESCRIBED ABOVE.

(PARTIAL RELEASE OF EASEMENT ATTACHED)

EFFECT OF PASSAGE PROVIDES CLEAR TITLE TO PROPERTY

EFFECT OF NON-PASSAGE PROPERTY OWNER CANNOT OBTAIN TITLE INSURANCE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NONE

60 67

M-38

67-102-10 HI
4/4/79

~~73~~ 08614

PARTIAL RELEASE OF EASEMENT

79 APR 6 AM 8:35

THIS RELEASE of Easement executed this 4th day of April, 1979, by the City of Fort Wayne, Indiana, by its Board of Public Works,

WITNESSETH THAT:

WHEREAS, on January 7, 1974, Charles N. Hall granted to the City of Fort Wayne, Indiana, a permanent easement for sewer purposes, across, through and over the following described real estate situated in Allen County, State of Indiana, to wit:

> Part of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:
> Beginning at a point 40 feet north and391 feet west of the southeast corner of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence west and parallel to the south line of the E½ of the SW¼ of Sec. 14-31-12, a distance of 338 feet; thence north with a deflection angle to the right of 89 degr. 53 min. a distance of 289 feet; thence east with a deflection angle to the right of 90 degr. a distance of 14 feet; thence south with a deflection angle to the right of 90 degr. a distance of 275 feet; thence east with a deflection angle to the left of 89 degr. 53 min. a distance of 324 feet; thence south with a deflection angle to the right of 90 degr. a distance of 14 feet to the point of beginning.

which easement was recorded on January 7, 1974, in Document #74-00464 in the Office of the Recorder of Allen County, Indiana.

WHEREAS, no sewer has been installed in said easement.

WHEREAS, a two-story frame office building has been constructed and encroaches on said easement of four (4) feet.

WHEREAS, in exchange for said release, Charles N. Hall* has agreed to grant a fourteen (14) foot sewer easement to the City of Fort Wayne across his property, the location of said easement to be approved by the City of Fort Wayne.

DULY ENTERED FOR TAXATION
APR - 6 1979
Gloria J. Gladieux
AUDITOR OF ALLEN COUNTY

* as Attorney in fact for Michael Hall, present title holder

INSTRUMENT M 1111

To: WPC - 7th Floor
Duane Embry

5.50

WHEREAS, a copy of a survey locating said specific encroachment is attached to this Partial Release indicating the location of said encroachment.

NOW, THEREFORE, for and in consideration of one ($1.00) dollar to the City of Fort Wayne, Indiana, the receipt of which is hereby acknowledged, the City of Fort Wayne, by its Board of Public Works hereby releases and abandons that portion of the above described easement as follows, to wit:

> Part of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:
> Commencing at a point 40 feet north and 391 feet west of the Southeast corner of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West and parallel to the South line of said E½, a distance of 338 feet to a point situated 14 feet West of the West line of a 1.0 acre tract conveyed to Nancy D. Cotton and Werner W. Newcomb, Jr. in a deed appearing in Document #75-23036 in the Office of the Recorder of Allen County, Indiana; thence Northerly, by a deflection angle right of 89 degr. 52 min. 30 sec. (recorded 89 degr. 53 min.) and parallel to the West line of said 1.0 acre tract, a distance of 25.0 feet to a point on the Northerly right-of-way line of Washington Center Road as established in Document #72-04797 in the Office of the Recorder of Allen County, Indiana, said point being the true point of beginning; thence continuing Northerly and parallel to the West line of said 1.0 acre tract, a distance of 225.0 feet; thence East and parallel to said South line, a distance of 14.0 feet to the West line of said 1.0 acre tract; thence southerly, on and along the West line of said 1.0 acre tract, a distance of 225.0 feet to said North right-of way line; thence West, on and along said North right-of-way line, a distance of 14.0 feet to the true point of beginning.

with the intent and purpose of releasing and abandoning the portion herein described to Michael Hall, and his successors.

IN WITNESS WHEREOF, the City of Fort Wayne, Indiana, has caused this instrument to be executed by its Board of Public Works on this 4th day of April, 1979.

CITY OF FORT WAYNE, INDIANA

Robert E. Armstrong

Robert E. Armstrong, Mayor

ATTEST:

Ursula Miller

CITY OF FORT WAYNE, INDIANA

BOARD OF PUBLIC WORKS

By: _____

Henry P. Wehrenberg, Chairman

By: Ethel H. LaMar

Ethel H. LaMar, Member

By: Max G. Scott

Max G. Scott, Member

Approved as to form and legality:

_____

Associate City Attorney

ATTEST:

_____

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State personally appeared Robert E. Armstrong, known to me as the Mayor of the City of Fort Wayne, Indiana, and ~~Henry P. Wehrenberg,~~ Ethel H. LaMar and Max G Scott, known to me to be the members of the Board of Public Works of the City of Fort Wayne, Indiana, and acknowledge the foregoing contract to be the voluntary act and deed of said City.

WITNESS my hand and notarial seal this 4th day of April, 1979

Notary Public

My Commission Expires:

3/6/80

Resident of Allen County

This instrument prepared by:

City of Fort Wayne and Zohrab K. Tazian, P.E., L.S.

67-102-9 H.I 4/4/79

AN AGREEMENT BETWEEN

THE CITY OF FORT WAYNE AND THE WEST

CENTRAL NEIGHBORHOOD COMMITTEE, INC.

WHEREAS, the City of Fort Wayne received Title I Community Development Block Grant funds from the U. S. Department of Housing and Urban Development, and;

WHEREAS, the Community Development Block Grant regulations allow for the expenditure of funds for neighborhood facilities that primarily serve a community development target area, and;

WHEREAS, the West Central Neighborhood Committee, Inc., (hereinafter referred to as Committee) has $52,000.00 (Fifty-two thousand dollars) in private monies to construct a neighborhood facility, and;

WHEREAS, the Committee, a not-for-profit corporation, organized to assist residents within the West Central neighborhood, a Community Development Block Grant target area, and;

WHEREAS, the Committee has retained James Associates - Fort Wayne, Inc., (hereinafter referred to as James Associates) a local registered Architect firm, to develop plans and specifications for a neighborhood facility and act as the reviewing agent on behalf of the Committee, and;

WHEREAS, the Committee desires to construct a neighborhood center within the West Central target neighborhood specifically, and;

(See attached)

WHEREAS, it is necessary and appropriate that an agreement be formed between the City of Fort Wayne and the Committee, for the use of the Committee monies, and the City of Fort Wayne Community Development Block Grant funds to construct a neighborhood center.

NOW THEREFORE BE IT AGREED between the City of Fort Wayne's Board of Public Works (hereinafter referred to as Board of Works) and Community Development and Planning (hereinafter referred to as CD&P) and the Committee as follows:

1. The Committee will release to the Fort Wayne City Controller safekeeping receipts evidencing a minimum investment of $52,000.00 less architects design fees of $6,163.69 paid to James Associates, which shall be specially reserved for the construction of said neighborhood center and held separate from all other City monies.

2. CD&P will provide the Committee, grant monies in the amount not to exceed $58,000.00 (Fifty-eight thousand dollars); $28,000.00 (Twenty-eight thousand dollars) from the City of Fort Wayne's Fourth Year Community Development Block Grant and $30,000.00 (Thirty thousand dollars) from the City of Fort Wayne's Third Year Block Grant Program.

3. CD&P will release these grant monies to the Office of the Fort Wayne City Controller after the expenditure of all private monies on a drawdown basis, prescribed by the Community Development Block Grant regulations.

4. Board of Works shall have the authority to obtain proposals and let bid or bids for constriction following the requirements of the State of Indiana bidding procedures and all federal, state and local laws and regulations regarding the letting of public contracts and the expenditure of federal funds. Board of Works shall have the authority to enter into a construction contract or construction contracts, as the case may be. Board of Works shall consult with the Committee and James Associates, but the Board of Works shall have final authority in the acceptance of bids and letting of contracts and construction of the Center.

5. The Board of Works shall have complete authority to supervise the work and insure that the construction contracts or contract are carried out according to design plans and building code requirements.

6. CD&P shall have the complete authority to monitor all equal opportunity and labor standard procedures as required by federal, state and local laws and regulations and to obtain compliance by the contractor or contractors.

7. Payment for work completed by the contractor or contractors shall be authorized only upon the approval of the Board of Works, up to but not to exceed $110,000.00 (One hundred and ten thousand dollars). As a requisite for the disbursement of these funds, James Associates shall co-sign all vouchers on behalf of the Committee with the Board of Works and CD&P.

8. The Committee shall be obligated to set aside five percent (5%) up to $5,000.00 (Five thousand dollars) of the total grant amount for a cash allowance for unforeseen and unknown expenses and the remaining ninety five percent (95%) shall be spent on construction contracts for the neighborhood center.

9. In the event that all bids received exceed the available funds for the project described herein and the Committee is unable to raise sufficient additional funds to meet and/or exceed the lowest acceptable bid submitted, the Committee shall have the right to recover all private monies heretofore transferred to the Fort Wayne City Controller for utilization in this project together with interest accrued to the date of return of these monies from investment pursuant to paragraph one herein upon giving proper notice and paying all costs incurred by the City of Fort Wayne as of the

date of notice. Further, this agreement and all other agreements pertaining to this project shall in that event be declared null and void upon written notice by the Committee to the Board of Works and CD&P and the Committee shall hold the other parties harmless from any liability resulting from contractual obligations or representations made by the Committee to third parties relating to this project.

10. In the event the Board of Works fails to let bids for the construction of this neighborhood center within ninety (90) days from the signing of this agreement or fails to seek proposals from contractors within ninety (90) days from the date of signing of this agreement, then the Committee shall have the right to declare this agreement and the occupancy and use agreement relating hereto made by the parties to be null and void. The Committee shall, in that event, hold the other parties hereto harmless from any liability resulting from contractual obligations or representations made by the Committee to third parties relating to this project.

11. In the event of excessive bids submitted, default or failure by the Board of Works pursuant to paragraph ten (10), the Committee may notify in writing the Board of Works and CD&P of the nature of the default or inability to obtain additional funding. If said default fails to be cured within thirty (30) days following written notice by the Committee, the Committee shall have the right to declare this agreement and all other agreements relating thereto cancelled, demand and receive all private monies including accrued investment interest to the date of receipt of said monies, be absolved and relieved of payment of penalties and/or fees, if any, for early withdrawal of the invested monies, and be absolved and relieved of any and all liability arising from any breach of contract resulting between the Board of Works and/or CD&P and third persons.

12. In the event of default of payment for work performed under this project of monies due and owing to third persons from any monies in the custody of and under control whether directly or indirectly of the Board of Works, Fort Wayne City Controller and/or CD&P, the Board of Works and/or CD&P shall assume all liability for such default and agree to hold the Committee harmless.

13. Any notice of termination or default required to be given under this agreement shall be in writing and delivered by certified mail to the respective parties at their current business or mailing address.

Board of Public Works of the
City of Fort Wayne

By: Edward N. Ba Mar

Mary G Scott

Community Development and Planning
of the City of Fort Wayne

By: William G. Logan
for R. Steven Hall

West Central Neighborhood Committee, Inc.

By: Charlotte Sweeney

DATED: April 4, 1979

All of Lot 714 and a part of Lots 713, 715 and 716 of Block 52 of Samuel Hanna's Addition to the City of Fort Wayne, including vacated alleyways beginning at a point on the east boundary line of 715 located 10 feet from the southeast corner of said Lot 715; thence in a westerly direction along a line running parallel to and 10 feet north of the south boundary line of Lot 715 and extended 10 feet through the vacated alley to a point on the east boundary of Lot 716 located 10 feet north of the southeast corner of said Lot 716; thence along a line parallel to and 10 feet north of the southerly boundary of Lot 716 a distance of 30 feet; thence in a northerly direction parallel to and a distance of 30 feet west of the east boundary of Lot 716 to a point on the south boundary of Lot 713 located 30 feet west of the southeast corner of Lot 713; thence north along a line parallel to and 30 feet from the east boundary line of Lot 713 to its intersection with the north boundary line of Lot 713; thence in an easterly direction along the boundary line of Lot 713 to the northeast corner of Lot 713; thence along a 10 foot line from the northeast corner of Lot 713 to the northwest corner of Lot 714; thence easterly along the north boundary of Lot 714 to the northeast corner of Lot 714; thence southerly along the east boundary of Lots 714 and 715 to the point of beginning.

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Does not need recording
Per P.B. 10/24/79 af

HI

67-101-7 4/4/79
S-81-79 5/8/79

Res 305-78 Tillman Rd

AGREEMENT FOR SEWER EXTENSION

This agreement made in triplicate, this 4th day of April, 1979, by and between Southtown Mall Development Company, an Indiana partnership, hereinafter referred to as "DEVELOPER", and the City of Fort Wayne, Indiana, an Indiana Municipal Corporation, hereinafter referred to as "CITY"

WITNESSETH:

WHEREAS, the DEVELOPER has proposed a building expansion program of the Southtown Mall Shopping Center which will require relocation, reconstruction and rededication of both the existing CITY owned Southtown sanitary pump station and certain publically dedicated sanitary sewers, and

WHEREAS, the DEVELOPER'S proposed building expansion program will generate sanitary sewage flows that would equal or exceed the designed flow capacity of the said Southtown Mall pump station, and

WHEREAS, the CITY, as a part of its master plan has proposed to construct a gravity sanitary sewer system to eliminate said Southtown sanitary pump station, and

WHEREAS, it is to the mutual benefit to both the CITY and to the DEVELOPER to construct a gravity sanitary sewer system which will provide unlimited sanitary sewer service, and

WHEREAS, the DEVELOPER has expressed a desire to coordinate its proposed building expansion program with the CITY'S proposed Master Plan gravity sanitary sewer extension, and

WHEREAS, there are area connection fees in the amount of $12,312.87 due the St. Mary's Interceptor; Res. 214 per document recorded 71-05984 for the 27.81 acre area as shown on Exhibit "A".

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

1. The CITY shall immediately cause to be constructed a 24 inch gravity sanitary sewer to manhole which is designated as MH #12 on the attached Exhibit "A", and will have the same completed as soon as possible.
2. The CITY shall also cause the existing Southtown sanitary pump station to be removed, and shall restore the surface of said area by back filling and compacting the area. The CITY shall also plug off the force mains leading to and from said pump

station as a part of said removal. The CITY will coordinate the removal of the pump station with the construction of the new gravity sanitary sewer system so as to cause a minimum of interruption of sanitary sewer service to those customers utilizing the existing Southtown sanitary pump station. In the event that DEVELOPER is not ready for the CITY'S removal of the Southtown sanitary pump station and connection to the new gravity sanitary sewer by June 30, 1979, DEVELOPER shall undertake responsibility for the removal of the Southtown sanitary pump station and connection to the new gravity sanitary sewer, under the supervision of CITY personnel, and the CITY will pay to DEVELOPER the sum of Three Thousand Five Hundred Dollars ($3,500.00) for the removal of said pump station, upon completion of the removal.

3. The DEVELOPER shall, as a part of his expansion program, make all necessary interconnect to the CITY 24 inch gravity sanitary sewer to those existing sanitary sewer that now outfalls into the Southtown sanitary pump station. The DEVELOPER shall have this interconnect completed prior to the issuance of any final occupancy permit by the CITY on the proposed development site.

4. The DEVELOPER shall provide the CITY with one set of certified "As Built" set of plans for all the sanitary and the storm sewer systems which have to be relocated, reconstructed, etc. on the proposed development site.

5. The DEVELOPER shall obtain from the CITY a Sanitary Sewer Construction Permit to construct any sanitary sewer which will become a public sewer. These sewers shall be constructed in accordance with the CITY of Fort Wayne standards being subject to CITY inspection fees by the DEVELOPER.

6. The DEVELOPER shall prepare and grant to the CITY a 20 foot minimum width permanent easement centerlined over any sanitary sewer which is either relocated or reconstructed for this building expansion program. The easements shall be granted upon completion of construction of said sewer.

7. The DEVELOPER shall prepare for CITY'S execution, a description for the vacation of any existing sanitary sewer easements that will no longer be required at the completion of the building expansion program. The CITY will vacate all of said easements at the time DEVELOPER conveys the new easements to the CITY.

8. The DEVELOPER shall pay to CITY upon completion of the work described on Paragraph 1 hereof, a lump sum fee of $51,397.87 towards both the construction cost of the 24 inch gravity sanitary sewer and all area connection fees due for all areas outlined on Exhibit "A".

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT FOR SEWER EXTENSION in multiple counterparts as of the date and year first above written.

DEVELOPER:

SOUTHTOWN MALL DEVELOPMENT COMPANY

By _____
Melvin Simon, General Partner

CITY OF FORT WAYNE, INDIANA

By Robert E. Armstrong
Robert E. Armstrong, Mayor

BOARD OF PUBLIC WORKS

By _____
Henry P. Wehrenberg, Chairman

By Ethel H. LaMar
Ethel H. LaMar, Member

By Max G. Scott
Max G. Scott, Member

ATTEST:

Ursula Miller
Ursula Miller, Clerk

Approved as to form and legality:

_____
Associate City Attorney

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79

STATE OF INDIANA)
)SS:
COUNTY OF MARION)

The foregoing instrument was acknowledged before me this 19th day of March, 1979, by Melvin Simon, General Partner, on behalf of SOUTHTOWN MALL DEVELOPMENT COMPANY, an Indiana partnership.

WITNESS my hand and notarial seal this 19th day of March, 1979.

Barbara Jean Jones
~~Barbara Jean Jones~~, Notary Public

My commission expires:

9-16-82

My county of residence is:

Marion

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert E. Armstrong, Mayor; ~~Henry P. Wehrenberg,~~ Chairman of the Board of Public Works; Ethel H. LaMar and Max G. Scott, Members of the Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 4th day of April, 1979.

Anne C. Fox
, Notary Public

My commission expires:

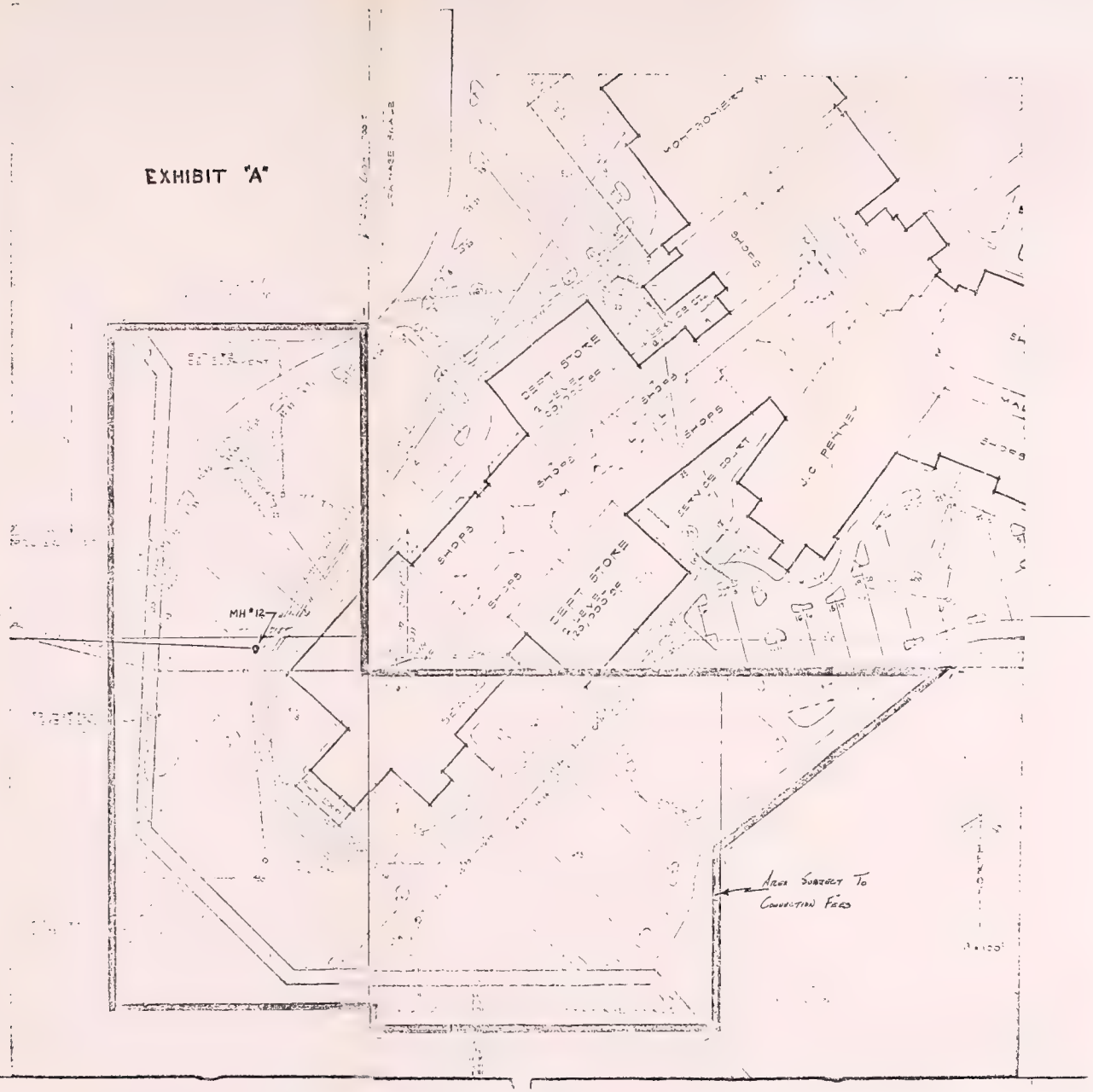
3/6/80

My county of residence is:

Allen

This instrument prepared by Philip R. Boller.

EXHIBIT "A"


MONTGOMERY WARD
SHOPS
DEPT STORE
SERVICE COURT
J.C PENNEY
MH #12
AREA SUBJECT TO CONDEMNATION FEES

67-97-5 H.I. 4/2/79

April 2, 1979

REPORT TO BOARD OF PUBLIC WORKS:

We, Henry P. Wehrenberg, Ethel H. LaMar, Edmund Stanczak, Jr., Howard Biggs and Philip Boller were appointed by the Board of Public Works to a Special Committee to review proposals submitted by Consulting Engineers for the Combined Sewer Overflow Project.

Proposals were received from Clark, Dietz & Associates of Urbana, Illinois, Malcolm Pirnie, Inc., of Columbus, Ohio, Reid, Quebe, Allison, Wilson & Associates, Inc., of Indianapolis, Indiana, Henry B. Steeg & Associates of Indianapolis, Indiana and Clyde E. Williams & Associates of Indianapolis, Indiana.

Following review of the written proposals, the Committee conducted personal interviews.

It is the recommendation of this Committee that Reid, Quebe, Allison, Wilson & Associates, Inc., of Indianapolis, Indiana be selected as consultants for this project.

Respectfully submitted,

Henry P. Wehrenberg, Chairman,
Board of Public Works

Ethel H. LaMar, Member,
Board of Public Works

Edmund Stanczak, Jr., General Superintendent,
City Utilities

Howard Biggs, City Engineer

Philip Boller, Supervisor,
Water Pollution Control Engineering

67 -

179

67-92-16 H.I. 3/26/79

EMERGENCY SEWER REPAIR RESOLUTION NO. 67-92-16

WHEREAS, a sewer collapsed in an alley between the 1600 blocks of High and Sinclair Streets; and

WHEREAS, an Emergency exists to have it repaired immediately; and

WHEREAS, the Water Pollution Control Maintenance Department solicited bids from L. W. Dailey, Inc., T & G Excavating, Inc. and John Dehner, Inc.; and

WHEREAS, L. W. Dailey, Inc. is available to make these repairs immediately:

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency does exist and order City Utilities' General Superintendent to issue a Purchase Order to L. W. Dailey, Inc. to make said repairs.

APPROVED AND ADOPTED THIS March 26, 1979.

Henry P. Wehrenberg

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

67 7

179

Memorandum

To Board of Public Works Date 3/22/79

From Edmund A. Stanczak, Jr.

Subject Emergency Sewer Repair -- Alley Between 1600 Blocks of High and Sinclair Streets

COPIES TO:

John Moran

A catch basin manhole and approximately 10' of sewer tile has collapsed in the subject area. Emergency repair is deemed advisable. Water Pollution Control Maintenance has been in touch with Dailey, T & G, and Dehner and Dailey has indicated the ability to accomplish these repairs expeditiously. I would recommend Board of Public Works pass an emergency resolution authorizing the repair of the catch basin manhole and tile in the alley between the 1600 blocks of High and Sinclair Streets by Dailey.

BOARD OF PUBLIC WORKS
RECEIVED
MAR 23 1979

NOTED
H.P.W.
E.H.L.
M.G.S.
Date

Form 1929

67-91-9 H.I. 3-26-79

Improvement Resolution

FOR CURB AND SIDEWALK

No. 5826-79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Bluffton Road and Old Trail Road Intersection. The improvement will consist of the construction of 7" plain concrete pavement on Old Trail Road, widening and resurfacing, new curbs, new storm drainage on Bluffton Road, street lights and a new traffic signal.

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid jointly from the City of Fort Wayne's Arterial Road and Street Account Fund and Spy Run Development Corp.

Adopted, this 26th *day of* March, 1979

ATTEST:

Ursula Miller

Secretary and Clerk

BOARD OF PUBLIC WORKS:

Henry P. Schmidberg

Edward W. LaMar

Max G. Scott

CALHOUN PRESS

69

67-88-6 H.I. 3/21/79

179

RESOLUTION NO. 67-88-6

WHEREAS, the City of Fort Wayne wishes to construct Fernhill Avenue Extended between Wells Street and Northrop Avenue; and

WHEREAS, representatives of the Board of Public Works have prepared detailed plans and specifications for said improvement; and

WHEREAS, said improvement will require City of Fort Wayne to obtain a License from Consolidated Rail Corporation:

NOW, THEREFORE, the City of Fort Wayne by and through its Board of Public Works hereby authorizes its Board of Public Works to enter into Agreement dated January 26, 1979 with Consolidated Rail Corporation covering drain pipe between 2.01 and 1.69 miles north of the Station of Fort Wayne and designates Henry P. Wehrenberg, Chairman of the Board of Public Works, to execute said Agreement on behalf of the City.

Approved this 21st day of March, 1979.

Henry P. Wehrenberg

Edward W. LaMar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

board of public works

CERTIFICATION

I, Ursula Miller, the duly appointed and acting Clerk of the Board of Public Works of City of Fort Wayne, Indiana, hereby Certify that the attached Capital Improvement Resolution No. 67-88-6 concerning Fernhill Avenue Extended is a true and complete copy of said Resolution as passed by the Board of Public Works on March 21, 1979.

Ursula Miller

URSULA MILLER

Subscribed and sworn to before me a Notary Public this 21st day of March, 1979.

Elizabeth J. Meyer

ELIZABETH J. MEYER
NOTARY PUBLIC
RESIDENT OF ALLEN COUNTY, INDIANA

My Commission expires:

February 12, 1981

AN EQUAL OPPORTUNITY EMPLOYER

67-86-18 H.I.
3/19/79

AMENDMENT NO. 2 TO
CONTRACT FOR ENGINEERING SERVICES BETWEEN
THE CITY OF FORT WAYNE, INDIANA, AND
McNAMEE, PORTER AND SEELEY OF ANN ARBOR, MICHIGAN
DATED DECEMBER 7, 1970

For Water Works Improvements

THIS MEMORANDUM OF AGREEMENT, made this 19th day of March, 1979, by and between THE CITY OF FORT WAYNE, INDIANA, hereinafter referred to as the City, and McNAMEE, PORTER AND SEELEY, hereinafter referred to as the Engineers, WITNESSETH:

Revise Page 4, Article II, Section I, last paragraph to read as follows:

For the work involved in the resident engineering and resident inspection, Article I, Section 3, the City agrees to pay the Engineers for the services outlined in Article I, Section 3, the salary costs of such resident engineer and inspectors plus 75% thereof, plus direct costs of moving of the resident engineer and inspectors ~~to Fort Wayne~~ from Fort Wayne to Ann Arbor when their services are no longer required by the City at the jobsite.

CITY OF FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

BY Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

BY Ethel H. LaMar
Ethel H. LaMar

BY Max G Scott
Max G Scott

McNAMEE, PORTER AND SEELEY

BY John M. Holland
John M. Holland

City Utilities

CITY-COUNTY BUILDING • ONE MAIN STREET
FORT WAYNE, INDIANA 46802

Water Filtration & Distribution
Water Pollution Control

February 14, 1979

BOARD OF PUBLIC WORKS
RECEIVED
FEB 14 1979

NOTED
H.P.W.
E.H.L.
M.G.S.
Date

Mr. Reg F. Batzer
McNamee, Porter and Seeley
2223 Packard Road
Ann Arbor, Michigan 48104

Dear Reg:

In response to your letter of February 7, 1979, I have discussed with the Board of Works the matter of revising our contract to cover the cost of moving the resident engineer from Fort Wayne to Ann Arbor rather than from Ann Arbor to Fort Wayne. This proposal is acceptable to the Board. The attached amendment to our contract should accomplish this change. Please have Mr. Holland sign the agreement and I will then forward it to the Board of Works for their action.

If you have any questions, please feel free to contact me.

Very truly yours,

Edmund A. Stanczak, Jr.
General Superintendent

EAS/hg

cc: Board of Public Works

AN EQUAL OPPORTUNITY EMPLOYER

ACTIVE PARTNERS
J.W. HOLLAND D.H. HOLAND, JR R.W. FORCE
W.R. VAN ZYCK S.C. WARTHMEE R.J. SWIT
R.W. BACHTEAL R.F. BATZER R.C. YOUNGS

RETIRED PARTNERS
R.L. McNAMEE W.S. HERBERT J.C. SEELEY

McNamee, Porter and Seeley

2223 PACKARD ROAD · ANN ARBOR, MICH. 48104 · AREA CODE 313 769-9220

Consulting Engineers

February 7,1979

Mr. Ed Stanczak
General Superintendent
City Utilities
One Main Street
City-County Building
Fort Wayne, IN

Re: Fort Wayne, IN
Water Treatment Plant
Improvements

Dear Ed:

Tom Larder has moved from Niles, MI to Fort Wayne, IN to serve as our resident engineer for the construction of the improvements to the Fort Wayne Water Treatment Plant. Our Engineering Contract, with the City of Fort Wayne calls for the City to pay for the direct cost of moving the resident engineer to Fort Wayne.

Our engineering contract with the City of Niles, MI, calls for the City of Niles to stand the cost of Tom's move away from Niles, so as I discussed with Ron Pitzer, we would like to bill for Tom Larder's move from Fort Wayne to Ann Arbor at the end of the job but not bill the City of Fort Wayne for the cost of moving Tom Larder to Fort Wayne for this project.

Please advise if this method of handling the cost of Tom Larder's move is acceptable to you.

Very truly yours,

McNAMEE, PORTER AND SEELEY

BY Reg. F. Batzer
Reg F. Batzer

RFB/mh

Memorandum

To Board of Public Works Date 3/15/79

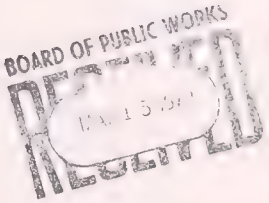
From Edmund A. Stanczak, Jr.

Subject McNamee, Porter and Seeley Contract - Amendment No. 2

COPIES TO:

Glen Patrick

I recommend Board of Public Works approval of the attached Amendment No. 2 to the contract between McNamee, Porter and Seeley and the City. Amendment No. 2 is for engineering services. Four copies of the Amendment are enclosed herewith for Board's signatures. Please return signed copies to this office for distribution.



71

179

67-85-15 H.I.
3/19/79

LOCAL SANITARY SEWER IMPROVEMENT RESOLUTION #878-79

DIVISIONS I & II, 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, that the construction of a local sanitary sewer, intended and adopted only for local use by the property owners abuts thereon, and is not intended or adopted for receiving sewage from collateral drains, be and the same is hereby ordered in and along:

DIVISION I

MAIN LINE A:

Beginning at a proposed Structure A-1 over an existing 12" sanitary sewer located 165± LF North of the centerline of Wolverton Drive and 17± LF East of the centerline of Rodenbeck Drive; thence Northerly 40± LF to proposed Structure A-2 located 205± LF North of the centerline of Wolverton Drive and 29± LF East of the centerline of Rodenbeck Drive; thence Northerly 177± LF to proposed Structure A-3 located 29± LF South of the centerline of Pelham Drive and 29± LF East of Rodenbeck Drive; thence North 280± LF to proposed Structure A-4, located 29± LF East of the centerline of Rodenbeck Drive; thence North 264± LF to proposed Structure A-5 located 29± LF North of the centerline of Orlando Drive and 29± LF East of the centerline of Rodenbeck Drive; thence North 220± LF to proposed Structure A-6, located 29± LF East of Rodenbeck Drive; thence North 277± LF to proposed Structure A-7, located 29± LF East of Rodenbeck Drive and 30± LF North of centerline of Ludwig Park Drive; thence North 366± LF to proposed Structure A-8 located 29± LF East of the centerline of Rodenbeck Drive; thence 246± LF to proposed Structure A-9 located 34± LF South of the centerline of Ludwig Road and 29± LF East of the centerline of Rodenbeck Drive.

LATERAL A-1:

Beginning at the above described Structure A-2, thence East 143± LF along a line 7± LF North of and parallel to the North line of the vacated lot 117 of Rodenbeck's Seventh Addition, to proposed Structure A-10 located 7± LF North of and 7± LF East of the Northeast corner of said vacated lot 117; thence South 85± LF along a line 7± LF East of and parallel to the East line of said vacated lot 117.

LATERAL A-2:

Beginning at the above described Structure A-3, thence Westerly 1188± LF along a line 29± LF South of and parallel to the centerline of Pelham Drive terminating at proposed Structure A-13, located 15± LF West of the East property line of Lot 76 of Rodenbeck's Fourth Addition.

LATERAL A-3:

Beginning at the above described Structure A-5, thence Westerly 1310± LF along a line 29± LF North of and parallel to the centerline of Orlando Drive and terminating at proposed Structure A-17 located 29± LF North of the centerline of Orlando Drive and 125± LF East of the centerline of Sharon Drive.

LATERAL A-4:

Beginning at the above described Structure A-7, thence West 1154± LF along a line 29± LF North of and parallel to the centerline of Ludwig Park Drive to proposed Structure A-20, thence Southwesterly 160± LF to proposed Structure A-21 located 21± LF South of the centerline of Ludwig Park Drive and 175± LF East of the centerline of Sharon Drive.

LATERAL A-5:

Beginning at the above described Structure A-9; thence West 354± LF to proposed Structure A-23 located 29± LF South of the centerline of Ludwig Road; thence West 910± LF to proposed Structure A-26 located 29± LF South of the centerline of Ludwig Road and 165± LF East of the centerline of Sharon Drive.

LATERAL A-6:

Beginning at the above described Structure A-4; thence West 390± LF to proposed Structure A-27 located 1± LF North of the Southwest corner of Lot 60 of Rodenbeck's Third Addition as Recorded in Plat Book 21, Page 113; thence West 400± LF to proposed Structure A-28 located 49± LF East of and 8± LF South of the Northwest corner of Lot 69 of Rodenbeck's Fourth Addition, as Recorded by Plat Book 26, Page 93; thence West 511± LF to Structure A-30 located 12± LF West of and 7± LF South of the Northeast corner of Lot 74 of said Rodenbeck's Fourth Addition.

LATERAL A-7:

Beginning at the above described Structure A-8 thence West 1277± LF along a line 286± LF South of the centerline of Ludwig Road terminating at proposed Structure A-34, located 175± LF East of the centerline of Sharon Drive.

DIVISION II

MAIN LINE B:

Beginning at proposed Structure B-1 over an existing 10" sanitary sewer located 18± LF South of and 8± LF East of the Southeast corner of Lot 35 of Rodenbeck's Fifth Addition as Recorded in Plat Book 25, Page 35; thence North 370± LF to proposed Structure B-2 located 2± LF East of the Southwest corner of Lot 2 of Rodenbeck's Fifth Addition as Recorded by Plat Book 25, Page 35; thence North 242± LF to a proposed Structure B-3 located 5± LF North of and 4± LF West of the Southeast corner of Lot 73 of Ludwig Park Addition as Recorded in Plat Book 23, Pages 49 and 50; thence North 235± LF to proposed Structure B-4 located 3± LF South of the Southeast corner of Lot #69 of said Ludwig Park Addition, 233± LF to proposed Structure B-5 located 4± LF North of and 4± LF West of the Southeast corner of Lot 39 of said Ludwig Park Addition; thence North 180± LF to proposed Structure B-6 located 2± LF West of the Northeast corner of Lot 39 of said Ludwig Park Addition; thence Northeasterly 65± LF to proposed Structure B-7 located 3± LF North of the Southeast corner of Lot 37 of said Ludwig Park Addition; thence North 243± LF to proposed Structure B-8 located 6± LF North of the Southeast corner of Lot 4 of said Ludwig Park Addition; thence North 65± LF to proposed Structure B-9 located 15± LF North of the Southwest corner of Lot 1 of said Ludwig Park Addition.

LATERAL B-1:

Beginning at the above described Structure B-3 thence East 561± LF to proposed Structure B-11 located 10± LF West of and 5± LF North of the Southeast corner of Lot 78 of said Ludwig Park Addition.

LATERAL B-2:

Beginning at the above described Structure B-5 thence West 800± LF to proposed Structure B-13 located 5± LF North of and 16± LF West of the Southeast corner of Lot 46 of said Ludwig Park Addition; thence West 400± LF to Structure B-14 located 4± LF South of and 27± LF West of the Northeast corner of Lot 59 of said Ludwig Park Addition; thence West 462± LF to proposed Structure B-16 located 5± LF South of and 10± LF East of the Northeast corner of Lot 54 of said Ludwig Park Addition.

LATERAL B-3:

Beginning at the above described Structure B-8 thence West 1707± LF to the proposed Structure B-21 located 6± LF North of and 3± LF West of the Southwest corner of Lot 20 of said Ludwig Park Addition; thence North 113± LF to proposed Structure B-22 located 119± LF North of and 3± LF West of the Southwest corner of Lot 20 of said Ludwig Park Addition; thence West 110± LF terminating at proposed Structure B-23.

LATERAL B-5:

Beginning at the above described Structure B-21, thence South 106± LF to proposed Structure B-24 located 100± LF South of and 4± LF West of the Northwest corner of Lot 21 of said Ludwig Park Addition.

LATERAL C:

Beginning at an existing manhole located 202± LF South of the centerline of Washington Center Road and 109± LF East of the Southerly extension of the centerline of Oregon Drive; thence West along a line parallel to the centerline of Washington Center Road 282± LF to proposed Structure C-1 located 7± LF East of the East right-of-way line of Lima Road (State Road #3); thence Northerly 124± LF along a line 7± LF East of and parallel to the East right-of-way line of Lima Road (State Road #3) to proposed Structure C-2 located 101± LF South of the centerline of Washington Center Road; thence North 400± LF to proposed Structure C-3 located 63± LF North of and 3± LF West of the Southwest corner of Lot 21 of Rodenbeck's Fifth Addition, as recorded by Plat Book 25, Page 35; thence North 1093± LF to proposed Structure C-6 located 7± LF North of and 2± LF East of the Southeast corner of Lot 86 of Ludwig Park Addition, as recorded by Plat Book 23, Pages 49 and 50; thence West 184± LF to proposed Structure C-7 located 8± LF North of and 9± LF East of the Southwest corner of lot 87 of said Ludwig Park Addition; thence North 116± LF to proposed Structure C-8 located 16± LF North of and 3± LF East of the Southeast corner of Lot 88 of said Ludwig Park Addition.

LATERAL C-1:

Beginning at the above described Structure C-6; thence East 716± LF to proposed Structure C-10 located 52± LF East of and 7± LF North of the Southeast corner of Lot 79 of said Ludwig Park Addition.

LATERAL D:

Beginning at an existing manhole located 12± LF South of and 8± LF West of the Southeast corner of Lot 25 of said Rodenbeck's Fifth Addition; thence West 110± LF to proposed structure D-1 located 6± LF South of and 10± LF West of the Southeast corner of Lot 24 of said Rodenbeck's Fifth Addition.

Subject to area connection fee of $300.00 per acre due Resolution #131 (Spy Run Interceptor).

Said sanitary sewer shall be 8" and 10" in diameter, with all its appurtenances shall be constructed in accordance with plans, profiles, special detals and specifications now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana, and shal be used for sanitary purposes only.

The total cost of said local sanitary sewer improvement shall be apportioned against and paid by the property owners whose property abuts thereon, and upon the City of Fort Wayne, Indiana, if the City is benefited by said improvement, all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana, entitled, Indiana Code: Title 19; Article 2; Chapter 7, and the provisions of all Acts amendatory thereto and supplemented thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six (6%) percent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay and assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owners or owners for said work, or for the collection of same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay. All proveedings had any work done in making of said improvements, assessments of property, collection of assessments and issuance of bonds, therefore, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted this 19th day of March, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar, Member

Max G Scott

Max G Scott, Member

Attest:

Ursula Miller

Clerk

67-85-14 H.I.
3/19/79

SEWER EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY

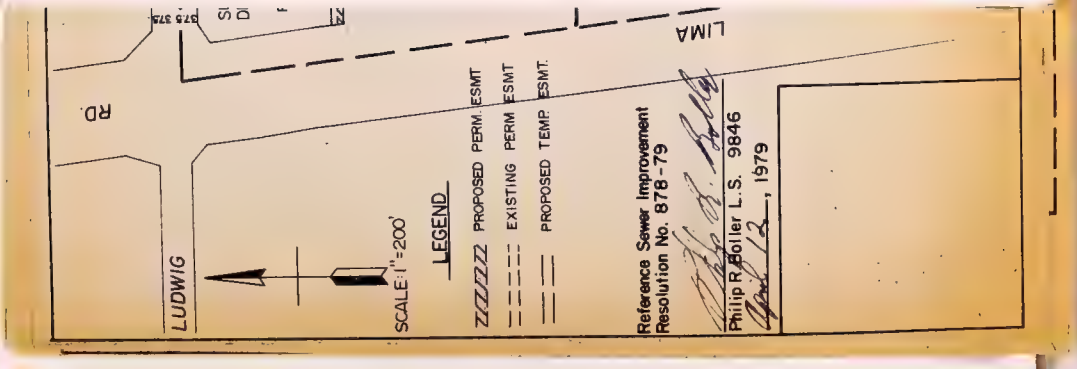
For the condemnation of Permanent and Temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3).

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for Permanent and Temporary sewer easement purposes to construct, operate, control and maintain a sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East, and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East; bounded on the North by the South right-of-way line of Ludwig Road; bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road; bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3); more particularly described as follows:

I. The following described Permanent and Temporary easements are located within Ludwig Park Addition as recorded by Plat Book 23 pages 49 and 50.

Permanent Easement

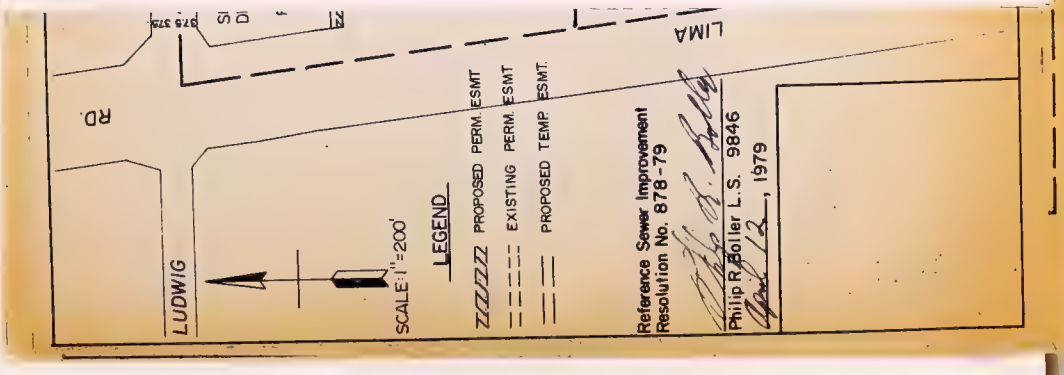
1. The North 6 feet of the South 12 feet of lots 4 thru 20 inclusive.
2. The East 6 feet of the North 58 feet of the South 119 feet of lot 4.
3. The South 8 feet of lot 1.
4. The West 6 feet of the North 61 feet of of lot 2.
5. The West 7 feet of lot 16.
6. The East 7 feet of lot 17.
7. The West 7 feet of lot 21.
8. The West 7 feet of lot 72.
9. The East 7 feet of lot 73.
10. The North 5 feet of the South 11 feet of lots 39 thru 48 inclusive.



11. The South 5 feet of the North 11 feet of lots 54 thru 59 inclusive.
12. The North 5 feet of the South 17 feet of lots 86 and 87.
13. The West 11 feet of lot 87.
14. The East 3 feet of lots 88 and 89.
15. The East 7 feet of lot 53A.
16. The East 6 feet of the South 58 feet of lot 1.

Temporary Easement

1. The North 10 feet of the South 18 feet of lot 1.
2. The West 10 feet of the East 16 feet of the South 119 feet of lot 4.
3. The East 10 feet of the West 16 feet of the North 35 feet of lot 2.
4. The East 10 feet of the West 16 feet of the South 55 feet of lot 2.
5. The East 5 feet of the West 11 feet of lot 3.
6. The East 10 feet of the West 16 feet of the North 30 feet of lot 3.
7. The East 20 feet of the West 26 feet of the South 55 feet of lot 3.
8. The West 5 feet of the East 11 feet of lot 37.
9. The West 10 feet of the East 16 feet of the North 80 feet of lot 37.
10. The West 10 feet of the East 16 feet of the South 75 feet of lot 37.
11. The North 10 feet of the South 22 feet of lots 4 thru 20 inclusive.
12. The South 10 feet of the North 16 feet of lots 21 thru 37 inclusive.
13. The East 10 feet of lot 30.
14. The West 10 feet of lot 31.
15. The North 15 feet of the South 26 feet of lots 39 thru 48 inclusive.
16. The North 10 feet of the South 16 feet of lots 49 thru 51 inclusive.
17. The South 5 feet of the North 11 feet of lots 64 thru 69 inclusive.
18. The South 10 feet of the North 16 feet of lots 60 thru 63 inclusive.
19. The South 15 feet of the North 26 feet of lots 54 thru 59 inclusive.
20. The North 10 feet of the South 13 feet of lot 52.
21. The North 10 feet of the South 22 feet of lots 73 thru 78 inclusive.



22. The North 10 feet of the South 22 feet of lots 79 thru 85 inclusive.

23. The North 10 feet of the South 27 feet of lots 86 and 87.

24. The East 10 feet of the West 21 feet of lot 87.

25. The West 10 feet of the East 13 feet of lot 88.

26. The East 10 feet of the West 17 feet of lot 72.

27. The West 10 feet of the East 17 feet of the South 85 feet of lot 73.

28. The West 10 feet of the East 17 feet of the North 50 feet of lot 73.

29. The East 10 feet of the West 16 feet of the South 75 feet of lot 71.

30. The West 15 feet of the East 21 feet of the South 65 feet of lot 69.

31. The West 15 feet of the East 21 feet of the North 115 feet of lot 69.

32. The East 10 feet of the West 16 feet of lot 70.

33. The West 15 feet of the East 21 feet of the South 80 feet of lot 39.

34. The West 5 feet of the East 11 feet of lot 39.

35. The East 15 feet of the West 21 feet of the North 65 feet of lot 38.

36. The West 10 feet of the East 17 feet of lot 53A.

37. The South 10 feet of the North 16 feet of lot 70.

38. The North 10 feet of the South 16 feet of lot 38.

39. The South 10 feet of the North 16 feet of lot 2.

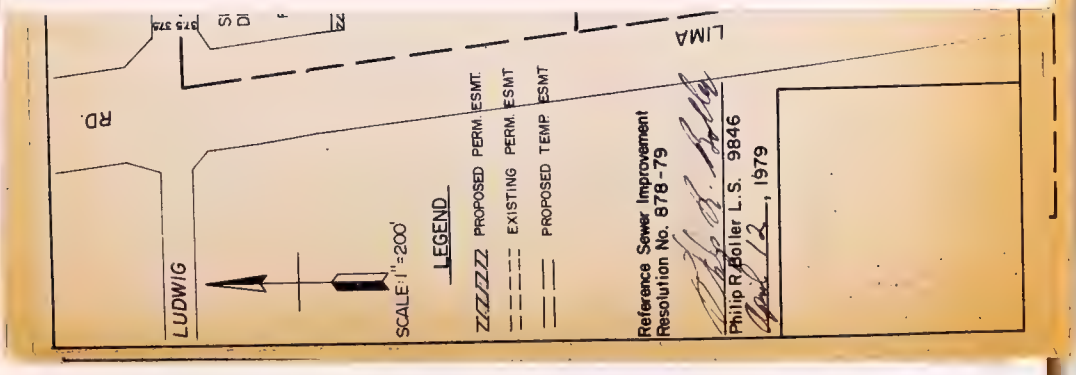
40. The East 10 feet of the West 16 feet of the South 58 feet of lot

II. The following described Permanent and Temporary easements are located within Rodenbeck's Addition as recorded by Plat Book 19 page 155.

Temporary Easement

1. The North 10 feet of lots 1 thru 14 inclusive.

III. The following described Permanent and Temporary easements are located within Rodenbecks 2nd Addition as recorded in Plat Book 20 page 64.



Permanent Easement

1. The South 10 feet of lots 15 thru 24 inclusive.

2. The North 10 feet of the East 30 feet of lot 27.

3. The North 10 feet of the West 30 feet of lot 28.

Temporary Easement

1. The North 10 feet of the South 20 feet of lots 15 thru 24 inclusive.

2. The South 10 feet of lots 25 and 26.

3. The North 10 feet of lots 27 thru 38 inclusive.

IV. The following described Permanent and Temporary easements are located within Rodenbeck's 3rd Addition as recorded in Plat Book 21 page 113.

Permanent Easement

1. The South 10 feet of lots 39 thru 49 inclusive.

2. The South 10 feet of the East 40 feet of lot 50.

Temporary Easement

1. The North 10 feet of the South 20 feet of lots 39 thru 49 inclusive.

2. The North 10 feet of the South 20 feet of the East 40 feet of lot 50.

3. The North 10 feet of the South 22 feet of lots 51 thru 62 inclusive.

V. The following described Permanent and Temporary easements are located within Rodenbeck's 4th Addition as recorded in Plat Book 26 page 93.

Permanent Easement

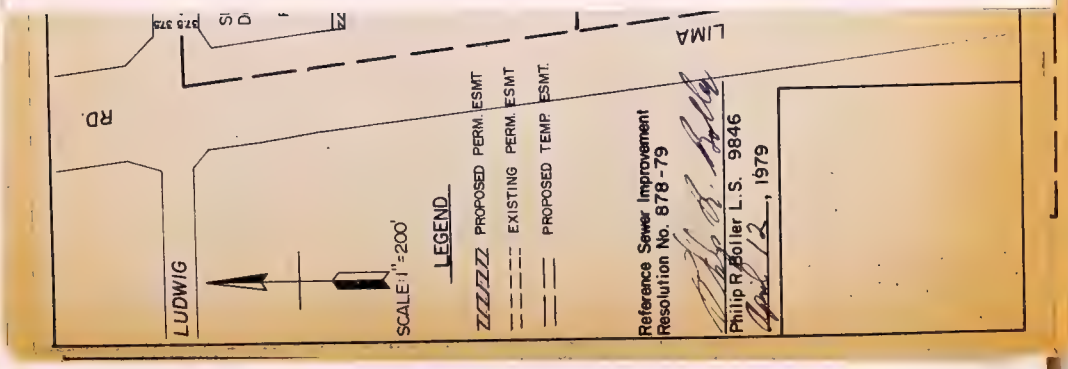
1. The North 10 feet of lots 76 thru 86 inclusive.

Temporary Easement

1. The South 10 feet of the North 20 feet of lots 76 thru 86 inclusive.

2. The South 10 feet of the North 22 feet of lots 63 thru 74 inclusive.

VI. The following described Permanent and Temporary easements are located within Rodenbeck's 5th Addition as recorded by Plat Book 25 Page 35.



Permanent Easement

1. The West 14 feet of lot 35.

2. The East 6 feet of the West 12 feet of lot 2.

Temporary Easements

1. The East 10 feet of the West 24 feet of lot 35.

2. The East 10 feet of the West 22 feet of lot 2.

3. The West 10 feet of the East 16 feet of the South 60 feet of lot 3.

4. The West 10 feet of the East 16 feet of the North 115 feet of lot 3.

5. The East 10 feet of the West 16 feet of lot 1.

6. The South 10 feet of the North 22 feet of lots 3 thru 8 inclusive.

7. The East 20 feet of the West 32 feet of lot 23.

8. The East 10 feet of the West 22 feet of lots 14 thru 22 inclusive.

9. The South 10 feet of the North 22 feet of lots 9 thru 14 inclusive.

10. The North 10 feet of the South 22 feet of lot 72.

VII. The following described Permanent and Temporary easements are located within subdivision of tract 5 of Dreyer's Subdivision as recorded by Plat Book 19, Page 95.

Permanent Easement

1. The South 7 feet of lot 1.

2. The South 7 feet of lot 2.

3. The North 7 feet of lot 24.

4. The East 7 feet of lots 21 thru 24 inclusive.

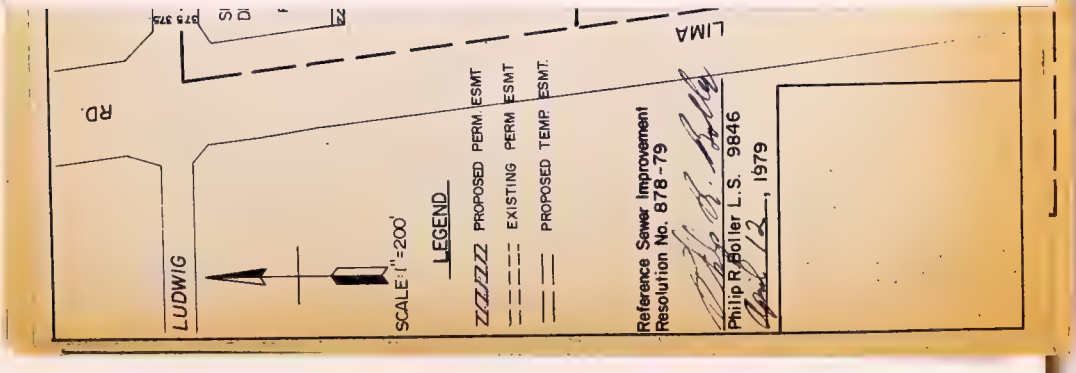
Temporary Easements

1. The West 10 feet of the East 17 feet of lots 21 thru 24 inclusive.

2. The South 10 feet of the North 17 feet of lot 24.

3. The North 10 feet of the South 17 feet of lots 1 and 2.

4. The East 20 feet of the South 50 feet of lot 2.



IX. The following described Permanent and Tempoerary easements are located within part of the Southwest Quarter of the Southeast Quarter of Section 15, Township 31 North, Range 12 East (Washington Township), Allen County, Indiana affecting tracts now or formerly owned by:

Dale H. Scherer as recorded by instrument number 77-26703

Harry E. Sr. & Ethel Meyer as recorded by Deed Book 543, Page 552.

James D. & Erma Warren generally described as the North 154.5 feet of the South 558.2 feet East of Indiana Service Corporation right-of-way of the Southwest Quarter, Southeast Quarter, Section 15, Township 31 North, Range 12 East.

Nancy L. Maines as recorded by Instrument Number 77-33562

Fort Wayne Country Foods as recorded by Instrument Number 78-27072

Elvin E. & Ginger E. V. Jones generally described as the South 130 feet of the North 482.2 feet East of Indiana Service Corporation right-of-way of the Southwest Quarter, Southeast Quarter, Section 15, Township 31 North, Range 12 East.

Samuel & Linda Sloffer as recorded by Instrument Number 78-31267

Margaret Gardner as recorded by Instrument Number 78-14427

Edwin & Leona Yates as recorded by Deed Book 478, Page 458

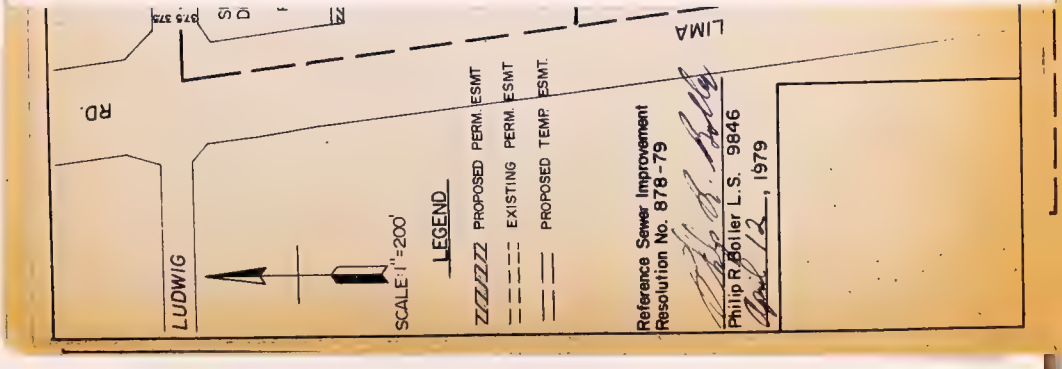
or more particularly described as follows:

Permanent Easement

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter, Section 15, Township 31 North, Range 12 East; to be referred to hereinafter as "said Southwest Quarter"; thence North 25 feet along the East line of said Southwest Quarter to the North right-of-way line of Washington Center Road to the true point of beginning; thence North 1295 feet along the West line of said Southwest Quarter to the Northeast corner of said Southwest Quarter; thence West 12 feet along the North line of said Southwest Quarter; thence South 1094.3 feet along a line parallel to the East line of said Southwest Quarter; thence East 5 feet parallel to the South line of said Southwest Quarter; thence South 200.7 feet along a line parallel to the East line of said Southwest Quarter to the North right-of-way line of Washington Center Road; thence East 7 feet along the North right-of-way line of Washington Center Road to said true point of beginning and there terminating.

Temporary Easement

Beginning at the Southeast corner of the Southwest Quarter of Southeast Quarter, Section 15, Township 31 North, Range 12 East; thence North 140.7 feet along the East line of said Southwest Quarter, thence West 7 feet parallel to the South line of said Southwest Quarter to true point of beginning; thence North 85 feet along a line parallel to the



East line of said Southwest Quarter; thence West 5 feet parallel to the South line of said Southwest Quarter; thence North 1094.3 feet parallel to the East line of said Southwest Quarter to the North line of said Southwest Quarter; thence West 10 feet along the North line of said Southwest Quarter; thence South 1179.3 feet parallel to the East line of said Southwest Quarter; thence East 15 feet parallel to the South line of said Southwest Quarter to said true point of beginning and there terminating.

X. The following described Permanent and Temporary easements are located on space now or formerly owned by Walter and Emma Rodenbeck located within a portion of the Southwest Quarter of Section 14, Township 31 North, Range 12 East; generally described as Southwest Quarter except Tracts sold Section 14, Township 31 North, Range 12 East.

Permanent Easement

Commencing at the Northeast corner of Rodenbeck's Addition as recorded in Plat Book 19, Page 155; thence East 50 along the North line of the Northwest Quarter of Section 14, Township 31 North, Range 12 East; thence South 37.5 to the true point of beginning on the East right-of-way line of Rodenbeck Drive; thence South 1877.5 along the East right-of-way of Rodenbeck Drive to the Northwest corner of the vacated lot 117 of Rodenbeck's 7th Addition as recorded in Plat Book 31 Page 16; thence East 140 along the North property line of the above said lot 117; thence South 30 feet parallel to the East right-of-way line of Rodenbeck Drive to a point, said point being the Northwest corner of land now or formerly owned by Wilmer and D. Rodenbeck as recorded by Deed Book 501, Page 109; thence East 14 feet along the North property line of above said space as recorded by Deed Book 501, Page 109; thence North 44 feet along a line parallel to the East right-of-way line of Rodenbeck Drive; thence West 144 along a line parallel to the North property line of the above said lot 117; thence North 1863.5 to the North property line of the above described space; thence West 10 feet along the South right-of-way line of Ludwig Road to the true point of beginning and there terminating.

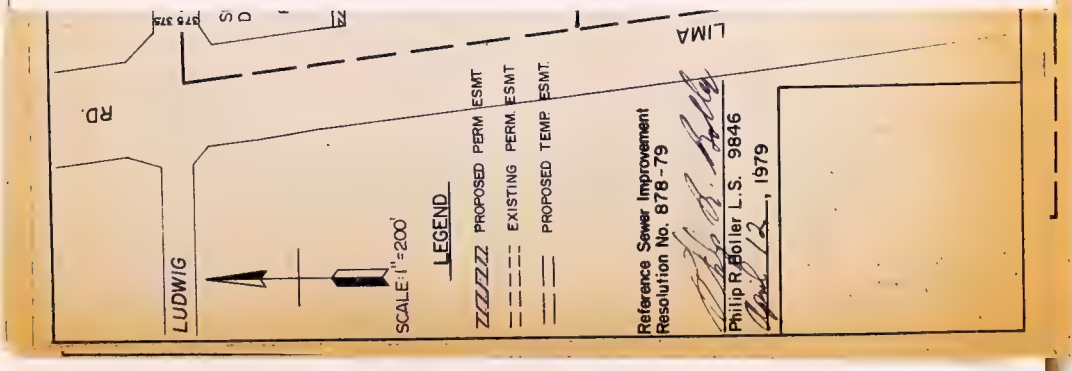
Temporary Easement

An easement 10 feet in uniform width laying East of, North of and immediately adjacent to the above described Permanent easement.

XI. The following described Permanent and Temporary easements are located within a space (except tracts sold) within the Northeast Quarter of Section 22, Township 31 North, Range 12 East, conveyed to the American Oil Company by Schlatter Hardware Company, Inc., by Warranty Deed dated November 19, 1965.

Permanent Easement

An easement 20 feet in uniform width laying 10 feet on either side of the following described centerline:



Commencing at a point on the North line of the Northeast Quarter of Section 22, Township 31 North, Range 12 East, said point being 815 feet West of the Northeast corner of the Northeast Quarter of Section 22, Township 31 North, Range 12 East; thence North 90 degrees West along the North line of the Northeast Quarter of Section 22, Township 31 North, Range 12 East, a distance of 175 feet; thence South 01 degree 12 minutes East and parallel to the East line of the Northeast Quarter of Section 22, Township 31 North, Range 12 East, a distance of 200 feet to the point of beginning; thence West along a line 200 feet South of and parallel to the North line of Section 22, Township 31 North, Range 12 East a distance of 255.79 feet to a point located 10 feet East of and measured perpendicularly to the East right-of-way line of Lima Road (State Road #3); thence Northerly along a line 10 feet East of and parallel to the East right-of-way line of said Lima Road a distance of 42.99 feet; thence Northerly along a line 10 feet East of and parallel to the East right-of-way line of said Lima Road a distance of 125.22 feet; thence North along a line parallel to the East line of the Northeast Quarter of Section 22, Township 31 North, Range 12 East a distance of 21.37 feet, to a point on the South right-of-way line of Washington Center Road; and there terminating.

Temporary Easement

1. A 15 feet in uniform width easement laying immediately adjacent to, South of, and East of the above described Permanent easement.

XII. The following described Permanent and Temporary easement are located on a space generally described as the North 100 feet of the South 760 feet of the West 200 feet of the East 655 feet West of Railroad in the Southwest Quarter Section 14, Township 31 North, Range 12 East now or formerly owned by Wilmer and D. Rodenbeck as recorded by Deed Book 501, Page 109.

Permanent Easement

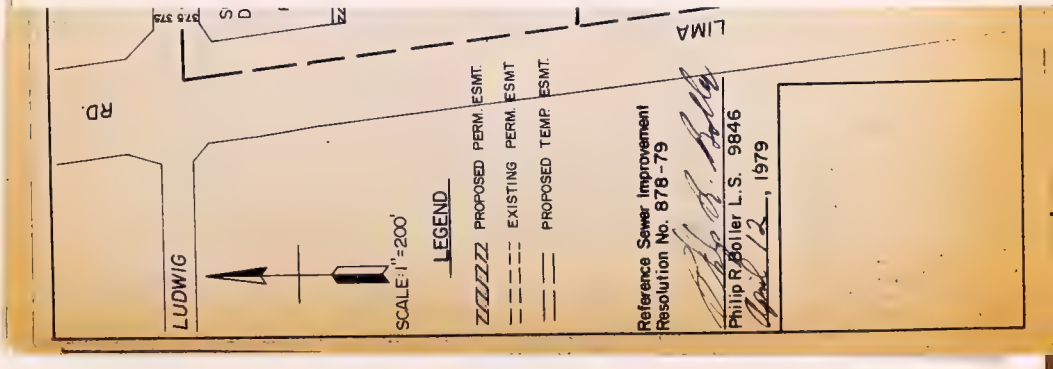
The North 30 feet of the West 14 feet of above described space.

Temporary Easement

An easement 20 feet in uniform width laying East of and immediately adjacent to the above described Permanent easement.

All according to the method and manner provided for in I.C. 18-1-1.5-5 and 14 and I.C. 18-1-7-1 to 11 and the provisions of all acts amendatory thereto and supplemental thereof, including the right of bond assessments as in said law ordered.

Assessments, if deferred, are to be paid in ten (10) equal installments with interest at the rate of six (6) percent per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such monies as shall have been actually received by the City from the assessments for such property damages as said City is by said above



entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

All land affected by the above described condemnation is situated within the Southeast Quarter of Section 15, Township 31 North, Range 12 East, the Southwest Quarter of Section 14, Township 31 North, Range 12 East, and the Northeast Quarter of the Northeast Quarter of Section 22, Township 31 North, Range 12 East. All as shown on the attached drawings.

The Temporary Sewer Easement shall expire one (1) year from the date of adoption.

ADOPTED THIS 19th DAY OF March, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
HENRY P. WEHRENBERG, CHAIRMAN

Ethel H. LaMar
ETHEL H. LAMAR, MEMBER

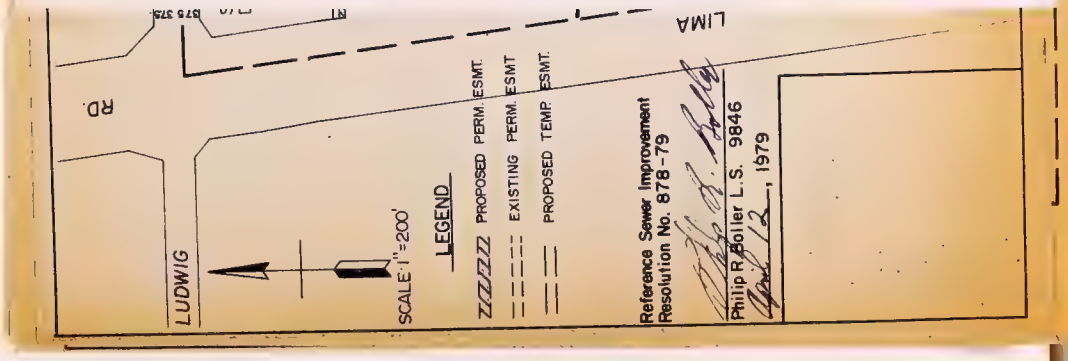
Max G Scott
MAX G SCOTT, MEMBER

ATTEST:

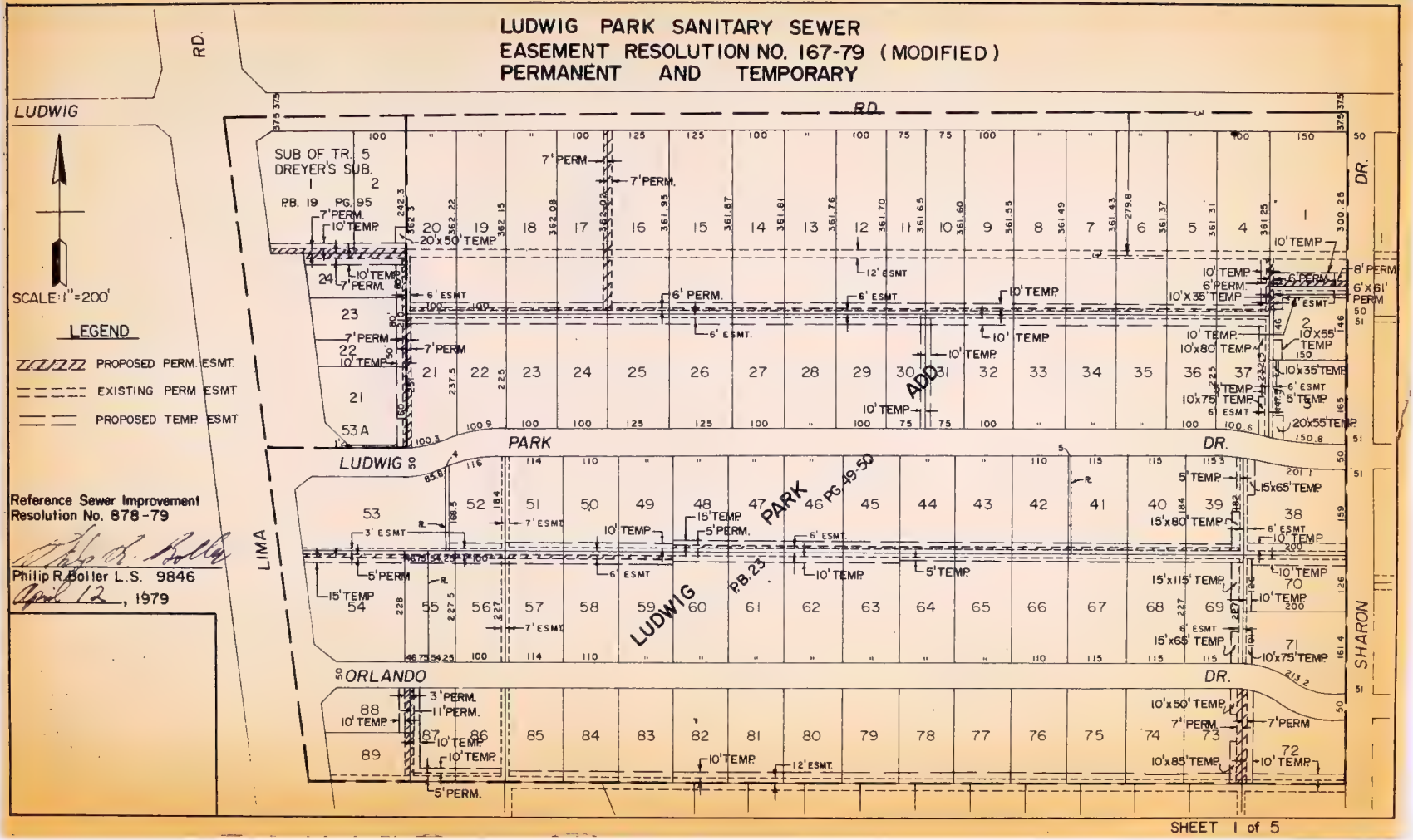
Ursula Miller
URSULA MILLER, CLERK

REFERENCE RESOLUTION NO. 878-1979

Prepared by Philip R. Boller



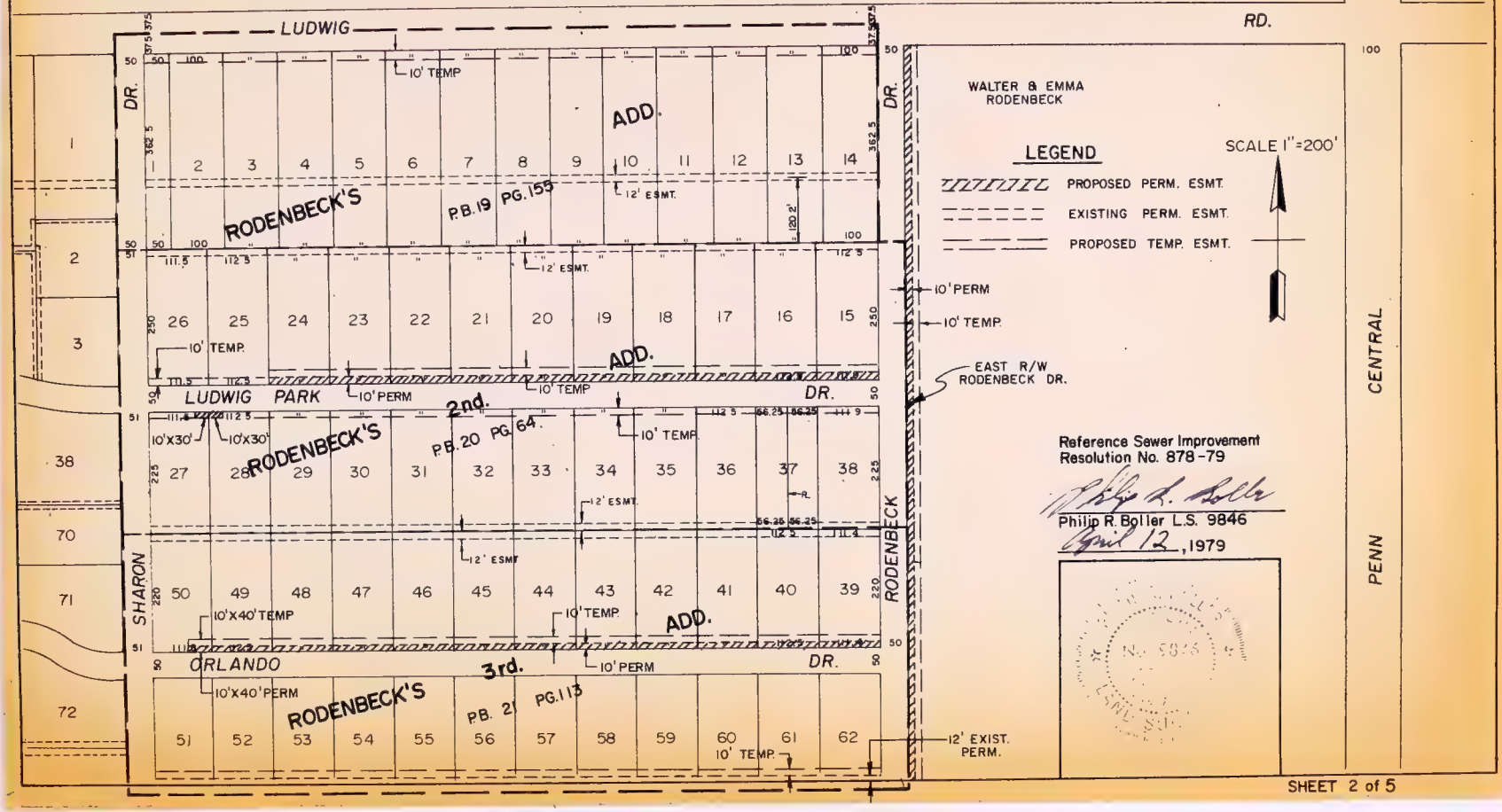
LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY

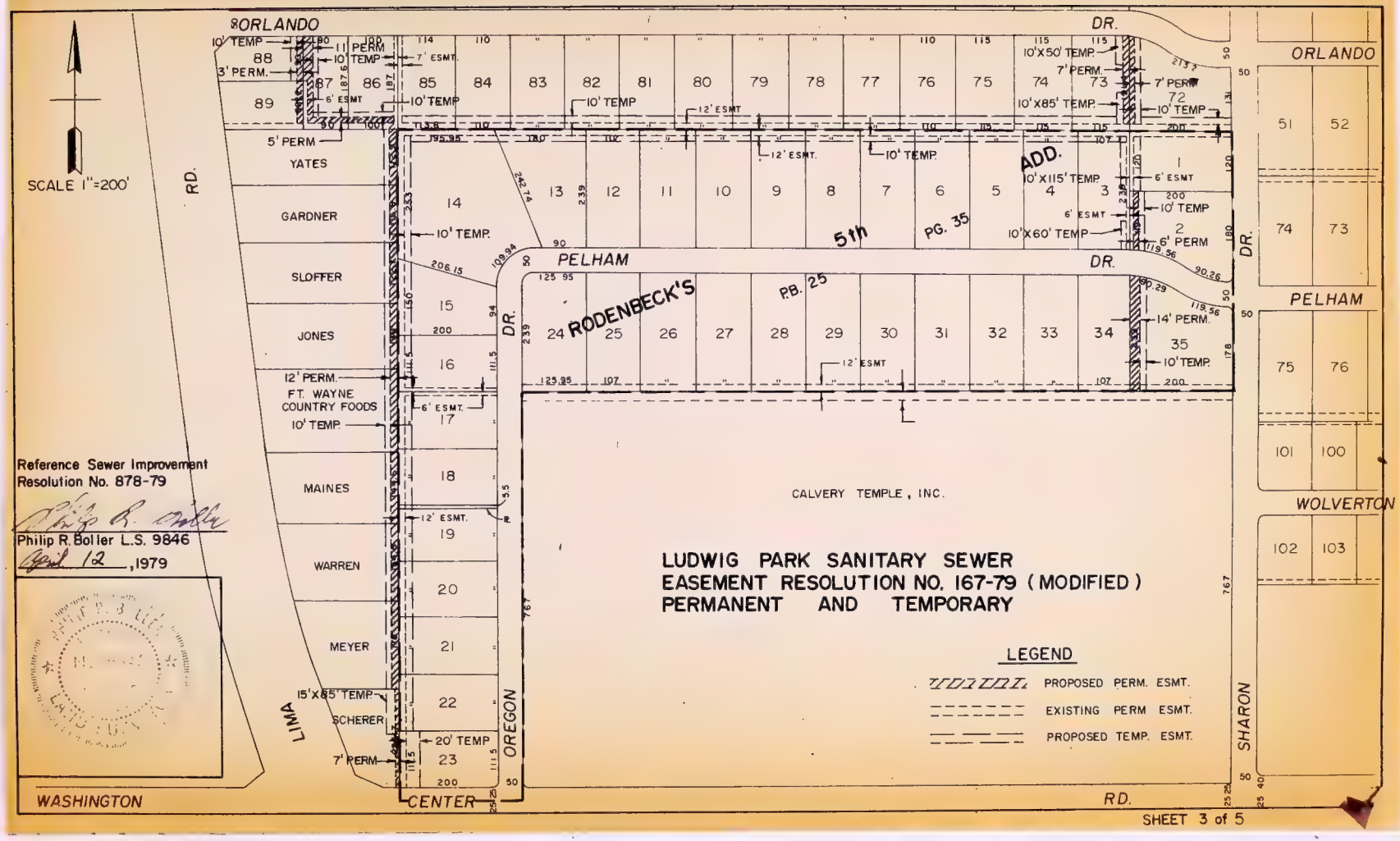


Reference Sewer Improvement
Resolution No. 878-79

Philip R. Boller L.S. 9846
April 12, 1979

LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY

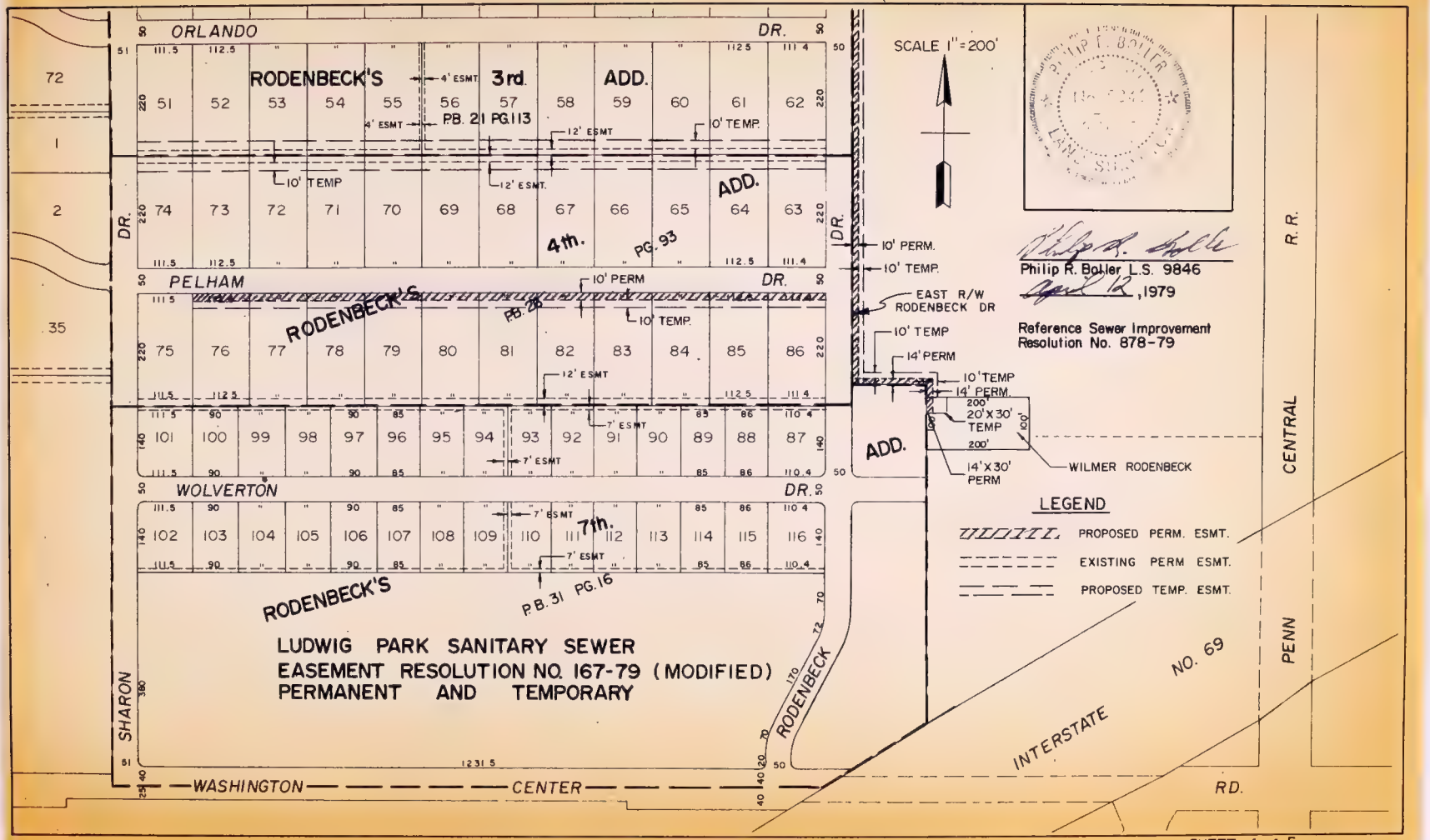




Reference Sewer Improvement
Resolution No. 878-79

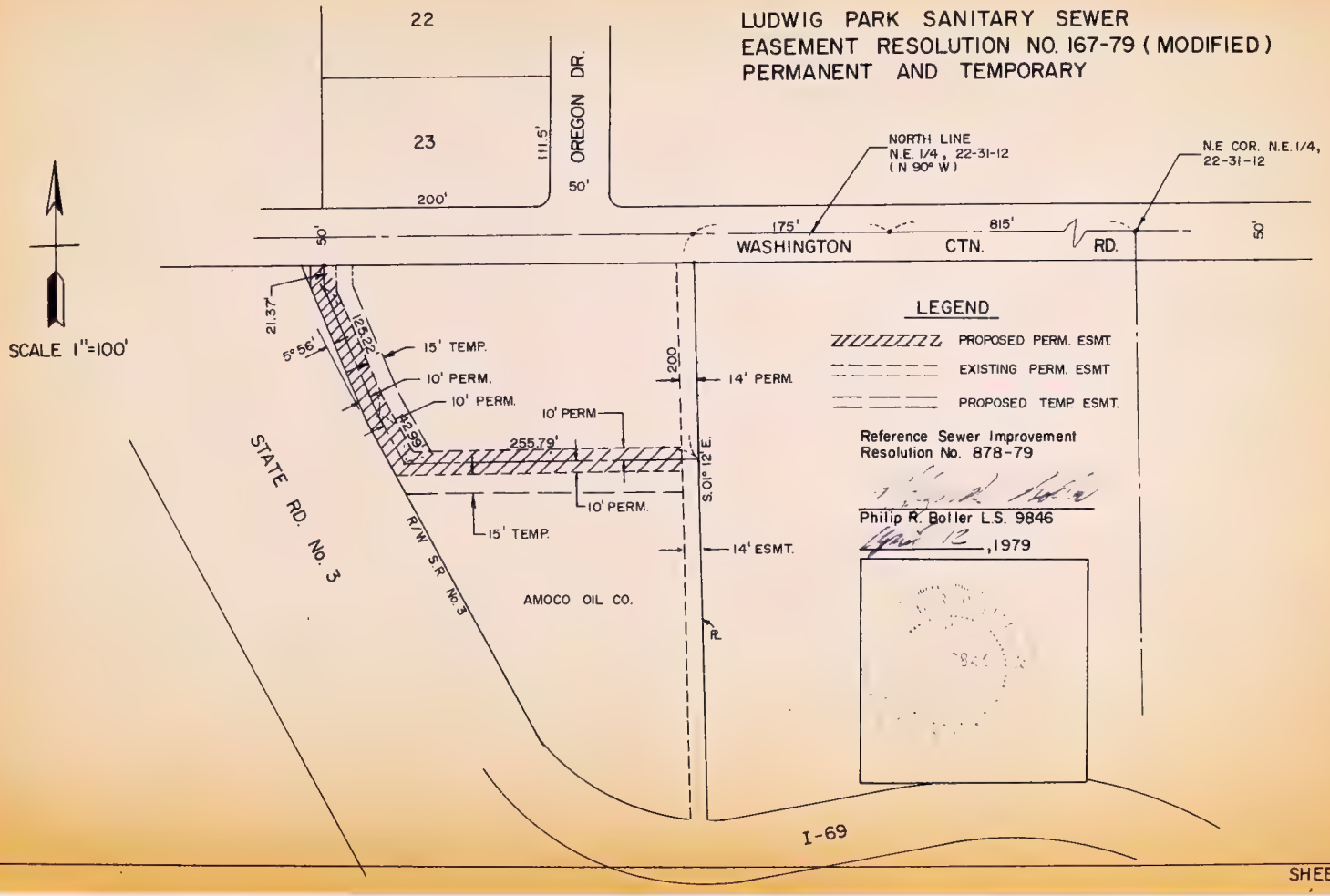
Philip R. Boller L.S. 9846
April 12, 1979

SHEET 3 of 5


ORLANDO DR.
RODENBECK'S 3rd. ADD.
PB. 21 PG. 113
4' ESMT
12' ESMT
10' TEMP
4th. ADD.
PG. 93
PELHAM DR.
RODENBECK'S
PB. 28
10' PERM
7' ESMT
WOLVERTON DR.
7th.
RODENBECK'S
P.B. 31 PG. 16
LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY
SCALE 1" = 200'
10' PERM.
10' TEMP.
EAST R/W RODENBECK DR
14' PERM
20' X 30' TEMP
14' X 30' PERM
WILMER RODENBECK
ADD.
LEGEND
PROPOSED PERM. ESMT.
EXISTING PERM ESMT.
PROPOSED TEMP. ESMT.
Philip R. Boller L.S. 9846
April 12, 1979
Reference Sewer Improvement
Resolution No. 878-79
SHARON
RODENBECK
WASHINGTON CENTER RD.
INTERSTATE NO. 69
CENTRAL PENN R.R.

SHEET 4 of 5

LUDWIG PARK SANITARY SEWER
EASEMENT RESOLUTION NO. 167-79 (MODIFIED)
PERMANENT AND TEMPORARY



67-84-12
3/19/79

SIDEWALK IMPROVEMENT RESOLUTION

No. 5818 - 1978

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to construct sidewalk ~~on~~ at 1030 and 1038 St. Joseph Blvd., also known as Lot 22 except South 100 feet, and Lot 24 except South 136 feet on the West and South 137 feet on the East. Both Lots being in Lakeside Park Addition.

To a width of 7 Feet Curbface Walk on St. Joe Blvd.
And 5 Feet on adjacent LaFort Street

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 75% upon the real estate abutting on said 1030 & 1038 St. Joseph Blvd. as above described and 25% upon the City of Fort Wayne, Indiana, if the said city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal installments, with interest at the rate of six per cent. per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 19th day of March, 1979.

BOARD OF PUBLIC WORKS:

Henry P. Wehrenberg
E. H. O'Day
Mary J. Scott

Ursula Miller

CALHOUN FREES

67-81-16 H.I
3/14/79

PERPETUAL EASEMENT

THIS AGREEMENT, made this 14th day of March, 1979 by and between the CITY OF FORT WAYNE, INDIANA acting by and through its Board of Public Works, with the approval of its Mayor (hereinafter called the "Grantor"), and INDIANA FRANKLIN REALTY, INC., an Indiana corporation, having its principal office in Fort Wayne, Allen County, Indiana, (hereinafter called the "Grantee"),

WITNESSETH:

WHEREAS, Grantee and Peoples Trust Bank, an Indiana banking corporation, having its principal office in Fort Wayne, Allen County, Indiana, are causing a multi-storied office building to be known as One Summit Square (hereinafter called "The Building") to be constructed on the following described real estate in Fort Wayne, Allen County, Indiana, to-wit:

> Lots 190, 189, 188, 187 and 186, except for the east five (5) feet thereof, and the vacated alley adjacent to and between said lots 187 and 188, all in the Original Plat of the Town (now City) of Fort Wayne, Indiana, according to the plat thereof, recorded in the Office of the Recorder of Allen County, Indiana,

(hereinafter referred to as "Grantee's Real Estate"); and

WHEREAS, certain subsurface footings (hereinafter referred to as "Footings") for The Building encroach under the surface of portions of the adjacent public rights of way commonly known as Calhoun Street, Washington Boulevard and the east-west alley between Wayne Street and Washington Boulevard (hereinafter referred to as "Public Rights of Way"); and

WHEREAS, Grantor has heretofore, by document dated October 16, 1978, and recorded as Document 78-35490 on November 3, 1978 in the Office of the Recorder of Allen County, Indiana, granted to Grantee a Perpetual Easement to construct and

maintain footing under certain parts of The Public Rights of Way, more particularly described in Exhibit "A" thereto; and

WHEREAS, Grantee now desires a perpetual subsurface easement to construct and maintain Footings under additional parts of the Public Rights of Way in the locations described in Exhibit "A" hereto and Grantor is willing to grant such an easement unto Grantee;

NOW, THEREFORE, in consideration of the sum of One Dollar ($1.00) cash, receipt of which is hereby acknowledged, the mutual benefits to be derived by the parties hereto from the construction of One Summit Square, the faithful performance of the terms and conditions hereof by the parties hereto and other good and valuable consideration, the parties covenant and agree as follows:

1. Grantor does hereby give and grant unto Grantee, its successors and assigns, an additional perpetual easement to construct, maintain, replace and remove the Footings in, under and along the parts of the Public Rights of Way described in Exhibit "A" hereto.

2. Grantee shall bear the entire cost and expense of constructing, reconstructing, maintaining, replacing and removing the Footings under the Public Rights of Way.

3. Upon completion of any construction, maintenance or other activity in connection with the Footings, Grantee shall restore the surface of the Public Rights Of Way to the same general condition as existed thereon immediately prior to such act.

4. Grantor reserves unto itself, its successors and assigns and the general public, the right to use the surface and other parts of the Public Rights of Way in which an Easement is hereby granted for street, sidewalk, utility and any other public

purposes not inconsistent with the purpose for which this easement was granted.

5. Grantor also grants unto Grantee, its successors and assigns, a temporary easement, from time to time, in such additional parts of the said Public Rights of Way as it may need to construct, maintain, replace and remove the Footings.

6. This agreement shall be binding upon and inure to the benefit of Grantor and Grantee and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed by the undersigned on the date first written above.

CITY OF FORT WAYNE, INDIANA, acting by and through its Board of Public Works with the approval of its Mayor

BOARD OF PUBLIC WORKS

By Henry P. Wehrenberg
Henry P. Wehrenberg
Chairman

Robert E. Armstrong
Robert E. Armstrong
Mayor

By Ethel H. LaMar
Ethel H. LaMar
Member

By Max G. Scott
Max G. Scott
Member

Attest:
Ursula Miller
Ursula Miller
Clerk

Approved as to form and legality,
this ___ day of March, 1979

By
Larry J. Burke
Associate City Attorney

INDIANA FRANKLIN REALTY, INC.

By William A. Black
William A. Black
Vice President

Attest:
W. O. Keltner
W. O. Keltner
Assistant Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert E. Armstrong, Mayor of the City of Fort Wayne, Indiana, and Henry P. Wehrenberg, Ethel H. LaMar and Max G. Scott, known by me to be all of the Members of the Board of Public Works of the City of Fort Wayne, Indiana, and Ursula Miller, Clerk of said Board, who executed the foregoing instrument and acknowledged to me that they did so execute same in the name and on behalf of the City of Fort Wayne, Indiana as such Mayor and Board Members and Clerk, respectively, and that the same is their free act and deed as such Mayor, Board Members and Clerk and the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 14th day of March, 1979.

Anne Q. Foy
Notary Public

I am a resident of Allen County, Indiana
and my commission expires: 3/6/80

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared William A. Black and W. O. Keltner, to me known and known by me to be the persons who as Vice President and Assistant Secretary, respectively, of Indiana Franklin Realty, Inc., the corporation which executed the foregoing instrument, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the corporation as such officers, respectively, and that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 9th day of March, 1979.

Carol K. Putman

I am a resident of
County, Indiana
and my commission
expires:

CAROL K. PUTMAN, Notary Public
Resident of Whitley County, Indiana
My Commission expires Sept. 29, 1982

This instrument prepared by William P. Fagan of Livingston, Dildine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802

EXHIBIT "A" TO PERPETUAL EASEMENT
FROM THE CITY OF FORT WAYNE,
INDIANA TO INDIANA FRANKLIN REALTY, INC.
DATED MARCH , 1979

The part of the public right-of-way known as Calhoun Street in the City of Fort Wayne, Allen County, Indiana, in which the attached and foregoing Perpetual Easement has been granted is described as follows:

> Commencing at a point on the west property line of Lot 190 of the Original Plat of the Town (now City) of Fort Wayne, Indiana, according to the plat thereof recorded in the Office of the Recorder of Allen County, Indiana, which point is ten feet eleven and three-quarter inches north of the southwest corner thereof; thence west a distance of one foot to a point in the public right-of-way known as Calhoun Street; thence in a northerly direction parallel with and constantly one foot west of the said west line of the said Lot 190, a distance of thirty-four feet four inches; thence west a distance of seven inches; thence in a northerly direction and parallel with the west line of said Lot 190 and constantly a distance of one foot seven inches west thereof, a distance of six feet; thence east a distance of seven inches; thence in a northerly direction parallel to and constantly one foot west of the said west line of the said Lot 190 a distance of twenty-eight feet six and one-quarter inches; thence west further into the public right-of-way known as Calhoun Street a distance of six feet six inches; thence in a southeasterly direction a distance of twenty-four feet three inches to a point three feet west of the west line of said Lot 190; thence in a southerly direction and parallel to the west line of said Lot 109 and constantly a distance of three feet therefrom, a distance of forty-eight feet; thence east a distance of three feet to a point on the west line of said Lot 190,

said point being seven feet eleven and three quarters inches north of the southwest corner of said Lot 190; thence north along the west line of said Lot 190 a distance of three feet to the point of beginning.

The parts of the public right-of-way which is an east-west alley lying between Washington Boulevard and Wayne Street in the City of Fort Wayne, Allen County, Indiana in which the attached and foregoing Perpetual Easement has been granted is described as follows:

Commencing at a point which is one foot north and ninety-one feet east of the northwest corner of Lot 190 of the Original Plat of the Town (now City) of Fort Wayne, Indiana, according to the plat thereof recorded in the Office of the Recorder of Allen County, Indiana; thence in a easterly direction parallel and constantly one foot north of the north line of Lot 189 and Lot 188 of said plat, a distance of sixty-six feet; thence north a distance of three feet; thence in a westerly direction parallel to and constantly four feet north of the north line of said Lot 188 a distance of thirty-two feet; thence in a southerly direction a distance of two feet; thence in a westerly direction parallel to and constantly two feet north of the north line of said Lot 188 and the north line of said Lot 189 a distance of thirty-four feet; thence in a southerly direction a distance of one foot to the point of beginning.

67-81-16 H.I.
3/14/79

ASSIGNMENT OF
PERPETUAL EASEMENT

This ASSIGNMENT dated March 14th, 1979 between INDIANA FRANKLIN REALTY, INC., an Indiana corporation, with its principal office being located in Fort Wayne, Allen County, Indiana ("Assignor"), and ONE SUMMIT ASSOCIATES, a limited partnership organized in accordance with the laws of the State of Massachusetts, and having an address of c/o Winthrop Financial Co., Inc., 225 Franklin Street, Boston, Massachusetts 02110 ("Assignee"),

WITNESSETH:

WHEREAS, Assignor, on behalf of itself and Peoples Trust Bank, an Indiana corporation ("PTB") has entered into Perpetual Easements with the City of Fort Wayne, Indiana, dated October 16, 1978 and March 14th 1979 (herein respectively called the "October, 1978 Perpetual Easement" and the March, 1979 Perpetual Easement"), providing for part of the footings of the building being constructed on the real estate located in the City of Fort Wayne, Indiana, described in more detail on Exhibit "A" hereto (which real estate and all improvements located and to be constructed thereon are hereinafter and commonly called "One Summit Square"), to be constructed in parts of the public rights-of-way known as Calhoun Street, Washington Boulevard and the east-west alley which lies between Wayne Street and Washington Boulevard, all in Fort Wayne, Indiana; and

WHEREAS, Assignor had, heretofore, by assignment dated October 25, 1979, on behalf of itself and PTB, conveyed, assigned, transferred and set over unto Assignee all of the rights, title and interest of the Grantee in and to the easement granted by the October, 1978 Perpetual Easement simultaneously with Assignee's acquisition of the real estate described on Exhibit "A" hereto;

WHEREAS, Assignor, on behalf of itself and PTB now wishes to convey, assign, transfer and set over unto Assignee

all of the rights, title and interest of the Grantee in and to the easement granted by the March, 1979 Perpetual Easement;

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the parties hereto agree as follows:

1. Assignor, on behalf of itself and PTB, does hereby convey, sell, assign, transfer and set over unto Assignee all of the rights, title and interest of the Grantee in and to the easement granted by the March, 1979 Perpetual Easement and Assignee does hereby assume all obligations of the Assignor with respect thereto; provided, however, that this Assignment as well as the assignment from Assignor to Assignee dated October 25, 1978 relative to the October, 1978 Perpetual Easement shall automatically terminate if (a) a deed of One Summit Square from Assignee to Indiana & Michigan Electric Company, an Indiana corporation ("I&M") and PTB, or either of them, or their designee, is recorded in the Office of the Recorder of Allen County, Indiana on or before March 31, 1982, or (b) I&M and PTB, or either of them, or their designee, acquire One Summit Square pursuant to the exercise of any of the options to purchase set forth in the Lease from Assignee to I&M or the Lease from Assignee to PTB, dated October 25, 1978, relative to space in One Summit Square.

2. Assignor does hereby represent and warrant that the March, 1979 Perpetual Easement is in full force and effect and that Assignor is not in default thereunder. Assignor does hereby further represent and warrant that the rights, title and interest of the Grantee under the March, 1979 Perpetual Easement have not previously been conveyed, assigned or pledged.

3. No partner of Assignee or of its general partner, Linnaeus Realty Company, shall be personally liable for the ob-

servance or performance of Assignor's obligations under the March, 1979 Perpetual Easement, all such liability by them being limited to the partnership assets of Assignee.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be duly executed as of the day and year first above written.

INDIANA FRANKLIN REALTY, INC.

By William A. Black
William A. Black
Vice President

Attest:

W. O. Keltner
W. O. Keltner
Assistant Secretary

ONE SUMMIT ASSOCIATES, a Massachusetts Limited Partnership

By Linnaeus Realty Company, as its general partner

By _____
Partner

This instrument was prepared by William P. Fagan of the law firm of Livingston, Dildine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared William A. Black and W. O. Keltner, to me known and known by me to be the persons who as Vice President and Assistant Secretary, respectively, of Indiana Franklin Realty, Inc., the corporation which executed the foregoing instrument, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the corporation as such officers, respectively, and that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 9th day of March, 1979.

Carol K. Putman

I am a resident of
County, Indiana
and my commission
expires: CAROL K. PUTMAN, Notary Public
Resident of Whitley County, Indiana
My Commission expires Sept. 29, 1982

COMMONWEALTH OF MASSACHUSETTS)
) SS:
COUNTY OF SUFFOLK)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ _____, known to me to be a partner of Linnaeus Realty Company, a partnership, and acknowledged the execution of the foregoing instrument to be his free and voluntary act and deed as a duly authorized general partner of Linnaeus Realty Company and the free and voluntary act and deed of Linnaeus Realty Company, as the duly authorized general partner of One Summit Associates.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this _____ day of March, 1979.

_____
Notary Public

I am a resident of
_____ County,
Massachusetts and my commission
expires: _____

ACKNOWLEDGEMENT OF ASSIGNMENT

The City of Fort Wayne, Indiana, acting by and through its Board of Public Works, with the approval of its Mayor, the Grantor in the above-mentioned March, 1979 Perpetual Easement, hereby acknowledges notice of, and consents to, the foregoing assignment of title and rights and assumption of obligations and releases Indiana Franklin Realty, Inc. from its obligations under the above-described March, 1979 Perpetual Easement and agrees to look only to the owners of the real estate upon which One Summit Square is located for performance of those obligations.

CITY OF FORT WAYNE, INDIANA, acting by and through its Board of Public Works with the approval of its Mayor

BOARD OF PUBLIC WORKS

By Henry P. Wehrenberg
Henry P. Wehrenberg
Chairman

Robert E. Armstrong
Robert E. Armstrong
Mayor

By Ethel H. LaMar
Ethel H. LaMar
Member

By Max G. Scott
Max G. Scott
Member

Attest:
Ursula Miller
Ursula Miller
Clerk

Approved as to form and legality,
this _____ day of March, 1979

By
Larry J. Burke
Associate City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert E. Armstrong, Mayor of the City of Fort Wayne, Indiana, and Henry P. Wehrenberg, Ethel H. LaMar and Max G. Scott, known by me to be all of the Members of the Board of Public Works of the City of Fort Wayne, Indiana, and Ursula Miller, Clerk of said Board, who executed the foregoing instrument and acknowledged to me that they did so execute same in the name and on behalf of the City of Fort Wayne, Indiana as such Mayor and Board Members and Clerk, respectively, and that the same is their free act and deed as such Mayor, Board Members and Clerk and the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 14th day of March, 1979.

Anne E. Fox
Notary Public

I am a resident of Allen County, Indiana and my commission expires: 3/6/80

This instrument was prepared by William P. Fagan of the law firm of Livingston, Dildine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802.

EXHIBIT "A"

The following described real estate located in Wayne Township, Allen County, Indiana, to wit:

Lots 190, 189, 188, 187 and 186, except for the East five (5) feet thereof, and the vacated alley adjacent to and between said lots 187 and 188, all in the Original Plat of the Town (now City) of Fort Wayne, Indiana, according to the plat thereof, recorded in the Office of the Recorder of Allen County, Indiana, EXCEPT FOR the air space above 830.00 feet above mean sea level over the following described part of the real estate described above:

The East eleven (11) feet of Lot 188, all of Lot 187, Lot 186, except for the East five (5) feet thereof, and the vacated alley adjacent to and between said Lots 187 and 188, all in the Original Plat of the Town (now City) of Fort Wayne, Indiana, according to the plat thereof, recorded in the Office of the Recorder of Allen County, Indiana,

and all improvements located and to be located thereon and all rights and easements appertaining thereto are commonly called "One Summit Square".

67-81-16 H.I
3/14/79

RESOLUTION ADOPTED BY THE
BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
MARCH 14, 1979

The Chairman then stated that Indiana Franklin Realty, Inc. had requested that the City grant, to it, an additional assignable Perpetual Easement in parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard in Fort Wayne, Indiana so that it can construct part of the footings of One Summit Square in additional parts of those public rights-of-way. He then presented to the Board a form of Perpetual Easement drafted for that purpose and reported that Larry J. Burke, Associate City Attorney, had reviewed the form and had approved it as to form and legality. He also reported that Thomas Manny, the City Traffic Engineer, had reviewed the legal description which is Exhibit "A" to Perpetual Easement and had no objections thereto. After discussion, and upon motion duly made by the Chairman, seconded and unanimously carried, the following resolution was adopted:

> RESOLVED, That the City of Fort Wayne, Indiana grant to Indiana Franklin Realty, Inc., an additional perpetual easement in the parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard, all as described in Exhibit "A" to the form of Perpetual Easement which was presented to, and is now approved by this Board and that all members of this Board of Public Works be, and they hereby are, authorized and directed to execute, acknowledge and deliver the said Perpetual Easement.

The Chairman then stated, consistent with its financing arrangements, it would be necessary for Indiana Franklin Realty Inc. to assign the perpetual easement to One Summit Associates and that the financing institution had required that the City of Fort Wayne specifically acknowledged and consent to the assignment. He then presented to the Board a form of acknowledgment of assignment which had been prepared for that purpose and reported that Larry J. Burke, Associate City Attorney, had reviewed and approved that form as to form and legality. After discussion and upon motion duly made by the Chairman, seconded and unanimously carried, the following resolution was adopted:

RESOLVED, that the City of Fort Wayne, acknowledge and consent to the assignment by Indiana Franklin Realty Inc. to One Summit Associates of the perpetual easement in parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard which was granted by the City on this date and that all members of this Board of Public Works be, and they hereby are, authorized and directed to execute, acknowledge and deliver the form of acknowledgment of assignment which was presented to, and is now approved by this Board.

Approved this 14th day of March, 1979.

BOARD OF PUBLIC WORKS

ATTEST:

Clerk

67-80-10 N.I. 3/14/79

5-67-79

AGREEMENT

Water Main Contract No. 78-XP-3

FOR CONSTRUCTION OF ROTHMAN ROAD FROM MERI-WOOD DRIVE EAST 1000 ± LF

THIS AGREEMENT, made and entered into this 14th day of March, 1979, by and between North Eastern Construction Company, herein called CONTRACTOR, and the City of Fort Wayne, Indiana, an Indiana Municipal Corporation, herein called OWNER,

WITNESSETH that the Contractor and the Owner for the considerations hereinafter named, agrees as follows:

ARTICLE 1. SCOPE OF WORK

Contractor shall furnish all labor, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for installation of 16" water main along Rothman Road from Meri-Wood Drive, Eastward 1000 ± LF all according to the drawing of Tanbark Sec. I, prepared by Turnbell-Green & Associates, Inc., approved by Fort Wayne Water Utility Engineering Department on September 12, 1978.

ARTICLE 2. THE CONTRACT SUM

The Owner shall pay the Contractor for the performance of the contract the unit price sum of $24,117.50. In event the amount of work is increased or decreased by the Owner, the contract sum shall be increased or decreased according to the unit price schedule set forth in the Contractor's Proposal.

ARTICLE 3. ACCEPTANCE AND PAYMENT

Payment shall be due at the time the work is fully completed and the contract is fully performed.

Upon filing of a Completion Affidavit by the Contractor that the work is ready for final inspection and acceptance, the Board of Public Works will direct the Engineering Department of the Owner to promptly make such inspections. When the Engineering Department finds the work acceptable under the contract, and the contract is fully performed, it shall so inform the Board of Public Works who shall issue a final certificate stating that the work provided for in this Contract has been completed and is accepted, and the entire amount of the contract shall be due and payable to the Contractor.

At the time said payment is due and payable, the Contractor shall furnish the Owner, if requested to do so, satisfactory evidence that all persons who have supplied labor, material or equipment for the work have been fully paid.

ARTICLE 4. GUARANTEE OF WORKMANSHIP

At the time the Completion Affidavit is filed, the Contractor shall furnish a one (1) year Guaranty Bond in favor of the City of Fort Wayne and in the amount of twenty-five (25%) percent of the total construction cost or $6,029.38.

ARTICLE 5. THE CONTRACT DOCUMENTS

"Detailed Specifications and Conditions for the Installation of Transmission and Distribution Main," dated March 22, 1976, is fully a part of the Agreement.

ARTICLE 6. ADJUSTMENT OF DISPUTES

All questions or controversies which may arise between the Contractor and the Owner under the provisions of this Contract shall be subject to the decision of the Chief Engineer of the Fort Wayne Water Utility of the Owner, and his decision shall be final and conclusive upon the parties.

Provided, however, that no changes in plans, specifications, or other phases of the work covered by this Contract will be permitted except on prior written authorization by the Board of Public Works.

ARTICLE 7. INDEMNITY

Contractor shall indemnify the Owner against any claim or loss incurred or arising out of the performance of the work as provided herein.

ARTICLE 8. COUNCILMANIC APPROVAL

This Agreement, although executed on behalf of the Owner by its Mayor and the Board of Public Works, shall not be binding upon the Owner unless and until the same shall have been ratified and approved by the Common Council of the City of Fort Wayne, Indiana, and should said Common Council fail to approve the same within ninety (90) days after the date hereof, then this Contract shall be and become wholly void.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

NORTH EASTERN CONSTRUCTION COMPANY

ATTEST:

Arlene K. Duncan Secretary

By: _____
Joseph L. Zehr, President

CITY OF FORT WAYNE, INDIANA

By: _____
Robert E. Armstrong, its Mayor

ATTEST:

Ursula Miller
Ursula Miller, Clerk

BOARD OF PUBLIC WORKS:

_____
Henry P. Wehrenberg, Chairman

_____
Ethel H. LaMar, Member

APPROVED AS TO FORM
AND LEGALITY:

_____
Larry Burke, Assoc., City Attorney

_____
Max G. Scott, Member

Approved by the Common Council of the City of Fort Wayne on the 10th day of April, 1979.

Special Ordinance No. S-67-79

16

79- 06709 67-80-9 N.I. 3/14/79

NOTICE OF WATER MAIN EXTENSION

Contract No. 78-XP-3 Work Order No. 63423 Board Order No. 152-78

TO WHOM IT MAY CONCERN

WHEREAS, the Fort Wayne Water Utility of the City of Fort Wayne, Indiana, acting by and through the Mayor and the Board of Public Works, has extended 1000± LF 16" Water Main along Rothman Road from Meri-Wood Drive, eastward 1000± LF to the East boundary line of Tanbark Section I, as recorded in Plat Book 42, page 4-8, in the Recorder's Office, Allen County, Indiana, and WHEREAS, said water main extension abutts or affects the following described property, to-wit:

The property on the south side of and adjacent to Rothman Road from a point 9± feet east of the west right-of-way line of Meri-Wood Drive, and its southerly extension, eastward to the west boundary line of Hillsboro Addition, Section III, as recorded in Plat Book 40, page 127-131, in the Recorder's Office, Allen County, Indiana.

Notice is, therefore, hereby given that in the event the owner of any of the above described property should, in the future, desire to have a service connection tap made into this water main within 15 years of the date of recording this "Notice", the said owner shall apply to the Water Utility for a permit to tap the above said water main and shall be required to pay to said Water Utility, his share of the installation cost in addition to the regular tapping fee, which share shall be $8.50 for each foot of frontage served by said main for the property described above, as owned by said applicant, where such property is residential type use and $9.40 for each foot of frontage for all other types of use. The above cost for each foot of frontage of property shall be chargeable to the respective property from the date of filing of this Notice, and said cost is based on the cost of installing a six inch (6") or eight inch (8") water main, respectively. Monies so collected shall be retained by the Utility as partial reimbursement of the costs advanced by the Utility for the construction of said water main.

Said water main, connections and fittings, hereinreferred to, are a part of the water works system of the said Utility of said City, and all rights, title and interest whatsoevery, shall at all times by and remain in the City of Fort Wayne, Indiana.

3/14/79
Date

ATTEST:
Ursula Miller
Ursula Miller

APPROVED AS TO FORM & LEGALITY:
Larry J. Burke, Assoc. City Attorney

Prepared by D. L. Foland, P.E.
Chief Water Engineer

WECONT
JOB I
STORED FF #6

FORT WAYNE WATER UTILITY

By: Robert E. Armstrong
Robert E. Armstrong, its Mayor

BOARD OF PUBLIC WORKS

By: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

By: Edward W. LaMar
E. H. LaMar, Member

By: Max G Scott
Max G Scott, Member

79 MAR 16 AM 11:19

NOVI 7166

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, a Notary Public, in and for said County and State, this 14th day of March, 1979, personally appeared the within named ROBERT E. ARMSTRONG, Mayor of the City of Fort Wayne; HENRY P. WEHRENBERG, ETHEL H. LAMAR, and MAX G SCOTT, members of the Board of Public Works, City of Fort Wayne, Indiana; URSULA MILLER, Clerk of the Board of Public Works, City of Fort Wayne, Indiana, to me personally known, who being by me duly sworn said that they are respectively the Mayor of the City of Fort Wayne, the Members and Clerk of the Board of Public Works of the City of Fort Wayne, Indiana, and that they signed said instrument on behalf of the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, with full authority so to do and acknowledged said instrument to be the voluntary act and deed of said Department of said City for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Anne J. Fox

ANNE J. FOX, Notary
A resident of Allen County, Indiana

My Commission Expires:

March 6, 1980

77

67-78-14 H.I. 3/12/79

SPECIAL RESOLUTION NO. 67-78-14

WHEREAS, the Street Engineering Department has informed the Board of Public Works that the streets of Fort Wayne are in need of immediate filling of pot-holes; and

WHEREAS, they have recommended that invitational bids be taken from private contractors;

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency exists and directs that Street Engineering prepare plans and specifications and take invitational bids from the five asphalt contractors located in Fort Wayne.

Approved and adopted this 12th day of March, 1979.

Henry P. Wehrenberg

Mary G Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

67-71-13 - H.I.
3/7/79

WATER MAIN IMPROVEMENT RESOLUTION

No. 1013 , 1979

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition.

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 7th *day of* March 19 79

BOARD OF PUBLIC WORKS:

Henry L. Wiekenberg
Edward La Mar
Mary G. Scott

67-70-8 HI 3/5/79

AMENDMENT & ADDITION TO ARTICLE VI. SERVICE CHARGES BASED ON WATER USAGE OF CHAPTER 24 OF FORT WAYNE MUNICIPAL CODE, SEWERS & SEWERAGE SYSTEM

S-55-79

603. Exempt Water - General, 1st sentence, delete the phrase - "and where the quantity of water entering the premises averages more than 2000 cubic feet per month",

605. Exempt Water Sprinkling. A residential water consumer shall be billed for sewage service beginning with the billing of District 19 around the beginning of July and ending with the billing of District 17 around the beginning of October as follows: The monthly sewage charge shall be the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the consumer's average monthly consumption during the prior bimonthly meter reading period. This bimonthly period begins with the reading or estimating of District 19 around the middle of March. A new account without a bimonthly meter reading period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual read at the end of the exempt water sprinkling period shall be allowed a sewer credit based on an average monthly usage as computed from the date of the Utilities' last actual read to the date of the Utilities' actual read made after the end of the exempt water sprinkling period.

The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose. In no case, however, shall the sewage charge be less than the minimum for the water meter size installed.

APPROVED
Board of Public Works

Henry P. Wehrenberg

Edward DeMar

Fred J. Scott

79

Memorandum

To Henry P. Wehrenberg Date 3/2/79

From Edmund A. Stanczak, Jr.

Subject Summer Sewer Ordinance

COPIES TO:

Dick Walker

Attached please find revised summer sewer exemption ordinance which incorporates your recommendations of February 22, 1979.

EAS:
mg

BOARD OF PUBLIC WORKS
RECEIVED
MAR 5 1979
RECEIVED

Council 3/13/79

67-70-8
3/5/79

67-68 15 H.I. 3/5/79

EMERGENCY RESOLUTION NO. 67-67-15

WHEREAS, the St. Marys, St. Joseph and Maumee Rivers have risen to dangerous heights; and

WHEREAS, there exists an emergency need for additional sandbags to protect and safeguard certain areas of the community:

NOW, THEREFORE, the Board of Public Works declares that an Emergency exists to fill additional sandbags immediately and orders the Street Department notified of this Emergency declaration.

Approved March 5 1979

Henry P. Wichenberg

Inez G. Scott

BOARD OF PUBLIC WORKS

ATTEST

Ursula Miller

Secretary and Clerk

81

Originals

79- 05718

67-5-7 2/24/79

AGREEMENT IN RESPECT TO
MAINTENANCE OF STORM DRAINS

THIS AGREEMENT, made and executed this 26th day of February, 1979, by and between the City of Fort Wayne, Indiana, a municipal corporation of the State of Indiana (hereinafter referred to as "City"), and Fairington Apartments of Fort Wayne, an Indiana Limited Partnership (Hereinafter referred to as "Owner"),

79 MAR 5 P 2:03

WITNESSETH:

WHEREAS, Owner is developing a multi-family apartment project in Allen County, Fort Wayne, Indiana, comprising of approximately 18.318 acres more or less, which is more particularly described in Exhibit "A" attached, hereto and by reference made a part hereof (hereinafter referred to as "Project"); and

WHEREAS, in connection with the development of Project, Owner desires to enclose the drainage in certain areas and improve the existing open drains in accordance with the approved plans and specifications by the Water Pollution Control Engineering Department of City and discharge drainage into the existing open drains on Project referred to as Stony Run Creek (hereinafter referred to as the "Drainage Facilities"); and

WHEREAS, City has heretofore approved the specifications for the drainage enclosures and improvement to open drains on Project subject to clarification with respect to Owner's obligation to provide full and continuous maintenance of the enclosed and open drains which must provide adequate storm water runoff drainage for Leo Road and Parnell Avenue off-site of the project.

NOW, THEREFORE, for and in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and the mutual covenants herein contained to be performed by the parties, City and Owner agree as follows:

1. Owner shall enclose the drainage in accordance with the plans and specifications heretofore approved by City and improve the open drainage, except as hereinafter noted.

2. Owner shall INDEMNIFY AND SAVE HARMLESS City (and its employees, agents, boards and departments), from any loss, liability, cost or expense of any kind (including, without limiting the generality of the foregoing, any and all reasonable attorneys' fees or other costs or expenses incurred in connection thereof) on account of any and all claims, demands, actions or causes of action which may be asserted on account of or arising out of the construction, enclosure or the improvement of the open drainage on Project.

DULY ENTERED FOR TAXATION
MAR 5 1979
Patricia J. Gaughin
AUDITOR OF ALLEN COUNTY

INSTRUMENT M 42

3. Owner shall provide for and pay all expenses in connection with either the necessary and continued maintenance or any emergency repair by City of said drains and appurtenances thereto on Project and in the event Owner fails or refuses to repair, maintain or make payment to City for emergency repair of Storm Sewers or appurtenances thereto after notice in writing by City to Owner by certified mail that Storm Sewers or appurtenances thereto require repair or maintenance or an emergency repair was required and after the lapse of a reasonable time, not to exceed thirty (30) days after the receipt of such notice, to permit Owner at its own expense to commence such repairs or maintenance, then the City shall be permitted ingress and egress onto the real estate and Project to effect any repairs to said drains thereon or for the purposes of either repairing or maintaining such drainage enclosures or open drains as necessary without being a trespasser, and in such events, Owner shall be liable to City for the reasonable cost of all equipment, labor and materials necessitated in effecting repairs, whether emergency or otherwise, or providing maintenance of said drains and appurtenances thereto and in the event Owner fails to make payment to City for services rendered as aforesaid within thirty (30) days after the receipt of billing, City shall have the right to place as a lien on the real estate for the amount owed plus costs of collection, attorneys' fees and court costs.

4. It is agreed by the City and the Owner that the plans for the "drainage facilities" have been designed to accommodate the upstream drainage. However, in the event future requirements for the upstream land exceed the capacity provided in the Owner's "drainage facilities," the City shall require the owner of such upstream land to modify its plans so that the capacity of the Owner's "drainage facilities" is not exceeded. The Owner agrees to be responsible for maintenance, repair and replacement of the "drainage facilities" constructed on its property.

5. Owner shall maintain the open drain located on the property with a proper stand of vegetation.

6. The terms and provisions of this Agreement shall be binding upon Owner, its successors, nominees and assigns and shall run with the real estate and any subsequent sale or transfer of the real estate shall be subject hereto. At such time as drainage enclosures and open drains constructed pursuant hereto shall cease to be used, this Agreement shall terminate and shall be of no further force and effect.

The above and foregoing Agreement and the terms thereof are accepted by the City of Fort Wayne, Indiana, by and through its Board of Works, which has taken all lawful action necessary to ratify the terms hereof.

IN WITNESS WHEREOF, the parties, and each of them, have affirmed their signatures and seals hereto this 26 day of February, 1979.

CITY OF FORT WAYNE, INDIANA

BY: Robert E. Armstrong
MAYOR

BOARD OF PUBLIC WORKS

BY: _____

BY: Henry P. Wehrenberg
Henry P. Wehrenberg

BY: _____
Ethel S. LaMar

BY: Max G. Scott
Max Scott

ATTEST:
Ursula Miller

"CITY"

FAIRINGTON APARTMENTS OF FORT WAYNE,
An Indiana Limited Partnership

BY: _____

BY: James T. Bisesi
General Partner

"OWNER"

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Prepared by: Philip R. Boller

STATE OF INDIANA)
)SS:
COUNTY OF MARION)

Before me, a Notary Public in and for such County and State, personally appeared James T. Bisesi, General Partner of Fairington Apartments of Fort Wayne, an Indiana Limited Partnership, who acknowledged the execution of the foregoing Agreement, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 17th day of January, 1979.

Renee C. (Clark) LaFollette
Notary Public

Renee C. (Clark) LaFollette

My Commission Expires:

9-14-80

This instrument was prepared by

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for such County and State, personally appeared ROBERT E. ARMSTRONG, Mayor; HENRY R. WEHRENBERG, Chairman of Board of Public Works; MAX G SCOTT, Member of Board of Public Works, of the Board of Public Works, City of Fort Wayne, Indiana, who acknowledged the execution of the foregoing Agreement, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 26 day of February, 1979.

Anne J. Fox
Notary Public ANNE J. FOX
Resident of Allen County

My Commission Expires:

3/6/80

EXHIBIT "A"

LEGAL DESCRIPTION

Part of the West Half of the Southeast Quarter of Section 24, Township 31 North, Range 12 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point on the East line of said Half Quarter Section 1694.67 feet South 02 degrees 12 minutes 46 seconds East (assumed bearing) of the Northeast corner of said Half Quarter Section; thence North 37 degrees 47 minutes 50 seconds West along the centerline of Stony Run Creek extended 172.17 feet; thence North 59 degrees 04 minutes 07 seconds West along the centerline of said creek 410.28 feet; thence North 61 degrees 51 minutes 57 seconds West along the centerline of said creek 202.00 feet; thence North 53 degrees 15 minutes 53 seconds West along said centerline 113.06 feet to a point on a 5.16178 degree curve to the left, the radius point of said curve being South 66 degrees 20 minutes 55 seconds East 1110.00 feet from said point; thence Southerly along said curve 723.06 feet to the Point of Reverse Curve of a 12.73240 degree curve to the right, the radius point of said curve being South 76 degrees 19 minutes 42 seconds West 450.00 feet from said point; thence Southerly along said curve 91.05 feet to the Point of Tangency thereof, said point being North 87 degrees 55 minutes 18 seconds East 450.00 feet from the radius point of said curve; thence South 02 degrees 04 minutes 42 seconds East 430.00 feet; thence North 87 degrees 55 minutes 18 seconds East parallel with the South line of said Half Quarter Section; thence North 02 degrees 12 minutes 46 seconds West along said East line 689.58 feet to the Place of beginning, containing 18.318 acres more or less.

81

Memorandum

To Board of Public Works Date 1/30/79

From Philip R. Boller

Subject Agreement to Maintain Storm Drainage at the Fairington Apartment Project B.O. #76-78

COPIES TO:

H. Biggs

Attached for your review and execution, subject to legal form approval, are three copies of a maintenance agreement.

Please return the executed copies for recording and distribution. If there are any questions, please refer them to Mr. Wickensheimer of this Department.

Sincerely,

Philip R. Boller

Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

PRB/CW/jt

NOTED
☑ H.P.W.
☐ E.M.L.
☑ M.G.S.
Date

BOARD OF PUBLIC WORKS
RECEIVED
JAN 31 1979

Note
Sent copies to Mr. Wickensheimer for execution & returning to Mr. Boller - H.E. 2/27/79

67-58-7
2/26/79

67-57-25 H.I. 2/22/79

RESOLUTION 67-57-25

WHEREAS, The City of Fort Wayne desires to comply with the "Policy for Increased Use of Minority Consultants" as setforth in Federal Register, Volume 43, No. 248 dated Tuesday, December 26, 1978, having an effective date of on or after February 1, 1979, and

WHEREAS, The City of Fort Wayne will receive proposal for Professional Engineering Service from Consultants after February 1, 1979, for various Environmental Protection Agency funded projects.

NOW, THEREFORE, be it resolved that the following represents the "Goal-Oriented System" of the City of Fort Wayne to encourage the increased participation of minority business enterprises (MBE) in any Engineering Consultants subagreements required for an Environmental Protection Agency funded project.

(a) Where it is economically feasible and whenever a project completion schedule will not be jeopardized, the prospective consultant is to divide the project into smaller task and obtain 2-4 percent MBE participation;

(b) Include within any proposal request from a prospective consultant a list of MBE from the general area which have expressed an interest in the project;

(c) Allow sufficient time on any proposal request from a prospective consultant to;

1. obtain participation from a MBE
2. make documents available to MBE
3. notify minority associates within the general bidding area

(d) Inform prospective consultants in both the proposal request and any oral interviews after receipt of proposals of both the E.P.A. policy and goal-oriented system concerning MBE participation:

(e) Maintain records which are available upon request that show:

1. the awards to MBE.
2. the review of the participation of MBE's in subagreements,
3. that this policy was used in the evaluation for the award of a subagreement.
4. the planholders of record,

ADOPTED THIS 22nd day of February 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar

Max G Scott

Max G Scott

ATTEST:

Ursula Miller

Ursula Miller, Clerk

85

67-56-24 N.I
79- 05140 2/22/79

AMENDMENT TO AGREEMENT
FOR SAINT MARY'S INTERCEPTOR, RES. NO. 214,
SEWER EXTENSION

WHEREAS, the City of Fort Wayne entered into an agreement with the Fort Wayne Community Schools Building Corporation on March 16, 1971 for the reimbursement of funds spent for the construction of the Saint Mary's Interceptor, Resolution No. 214, as recorded by Instrument No. 71-05984.

WHEREAS, the 70± acres known as Tillman Park, as recorded by Instrument No. 69-20363, Deed Book, 733, page 238 lies within the area of assessment for the said Saint Mary's Interceptor.

WHEREAS, Fort Wayne Community Schools has waived the portion of the area connection charges due them by authority of the aforementioned Saint Mary's Interceptor agreement for said 70± acres.

NOW THEREFORE, in consideration of the foregoing, the Board of Public Works of the City of Fort Wayne hereby waives the area connection charges due the City by authority of the aforementioned Saint Mary's Interceptor Agreement for the said 70± acres; subject to the following condition:

Said 70± acres shall be owned by
and/or used for public parks.

At such a time as any portion or portions of said 70± acres fail to meet this condition, this amendment shall become null and void for said Portion(s), and area connection charges as established by the original Agreement, as recorded by Instrument Number 71-05984, shall become due and payable for all existing and future sanitary sewer taps within said Portion(s) within said 70± acres.

ADOPTED THIS 22 DAY OF February, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST:
Ursula Miller
Ursula Miller, Clerk

Prepared by: Philip R. Boller

DULY ENTERED FOR TAXATION
FEB 27 1979
Gloria J. Gaeglein
AUDITOR OF ALLEN COUNTY

79 FEB 27 PM 2:02

INSTRUMENT # 14,967 3.00

7061 (Ken)

RECEIVED
FEB 01 1979
Water Pollution Control Engr. Dept.
City-County Building, One Main St.
Ft. Wayne, Indiana 46802

THE CITY OF FORT WAYNE
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
engineering department
7th floor

January 5, 1979

Dr. Lavon E. Miller, Director
Buildings and Grounds
Fort Wayne Community Schools
1230 South Clinton
Fort Wayne, Indiana

Subject: Tillman Park - Southtown Mall Lift Station
Elimination Sanitary Sewer, B.O. 45-78, Res. 305-78

Dear Lavon:

Reference the enclosed copy of the St. Mary's Interceptor agreement between the City of Fort Wayne and Fort Wayne Community Schools which provides for area connection fees in favor of both parties. At this time we are asking your cooperation in releasing the Public Tillman Park area noted in red, from the assessment area.

This department feels that since this Park land is public property being developed into an open recreational complex for public enjoyment, it is in the best interest of the community to waive the area connection charges. We are making a similar recommendation to the City of Fort Wayne Board of Public Works. If you concur with our request, would you please sign at the appropriate space provided below.

If you have any questions, please feel free to contact Duane Embury or the undersigned.

Very truly yours,

Philip R. Boller

Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

I Lavon E. Miller
Dr. Lavon E. Miller
do hereby waive any reimbursement fees due the Fort Wayne Community School System for the 70± acre known as Tillman Park this 30th day of January 1979.

AN EQUAL OPPORTUNITY EMPLOYER
© F.W.B.C. 1974

67-54-16 H.I.
79- 05228 2/22/79

RESOLUTION 67-54-16

WHEREAS, The Board of Public Works adopted Sewer Resolution No. 294-77 wherein it was found by said Board of Public Works that all abutting property owners shall be assessed to reimburse the Sewer Utility Fund for all those monies involved for said Resolution, and

WHEREAS, a sanitary sewer system was constructed in accordance with the above said Resolution to benefit all the abutting property owners as shown on the attached Exhibit "A", and

WHEREAS, the total cost to construct this said Resolution has been determined to be $353,056.55 composed of the following:

Construction Cost	$309,592.72
Engineering & Inspection	42,498.83
Advertising Cost	40.00
Audit Cost	525.00
Administrative Cost	400.00
Easement Cost	-0-
Area Connection Fees (waived by B.O.W.)	-0-

79 FEB 28 A 9:45

WHEREAS, the Board of Public Works was the recepient of a Federal Grant to construct said Resolution in the amount of $250,000.00, and

WHEREAS, the reimbursement due the Sewer Utility Fund is represented by the difference in these two amounts which is $103,056.55,

NOW, THEREFORE, It is hereby resolved by the Board of Public Works of the City of Fort Wayne in its regular meeting of 22nd day of February, 1979, that,

At such time that the abutting property owners shall desire to tap into the sanitary sewer system constructed under said Resolution, the payment in full of the herein established tap-in fees as shown on Exhibit "B" shall be due

Call - Sabah - 7061

32	DAVIS WILL & NORA	2906 Covington Road
33	ROGERS ISAAC & MALISSIA	2920 Covington Road
34	BEJARANO LUIS & MARIA G.	2520 LaFontain
35	BEJARANO LUIS & MARIA G.	2520 LaFontain
36	MARTINEZ ROBERT P. & ESTHER	3010 Banks Street
37	BEJARANO LUIS & MARIA G.	2520 LaFontain
38	BOARD OF COMM.	1 Main St Fort Wayne

and payable by the property owners.

Adopted this 22nd day of Feb., 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel LaMar, Member

Max G Scott, Member

Attest:
Ursula Miller
Ursula Miller, Clerk

Prepared by Philip R. Boller

32	DAVIS WILL & NORA	2906 Covington Road
33	ROGERS ISAAC & MALISSIA	2920 Covington Road
34	BEJARANO LUIS & MARIA G.	2520 LaFontain
35	BEJARANO LUIS & MARIA G.	2520 LaFontain
36	MARTINEZ ROBERT P. & ESTHER	3010 Banks Street
37	BEJARANO LUIS & MARIA G.	2520 LaFontain
38	BOARD OF COMM.	1 Main St Fort Wayne

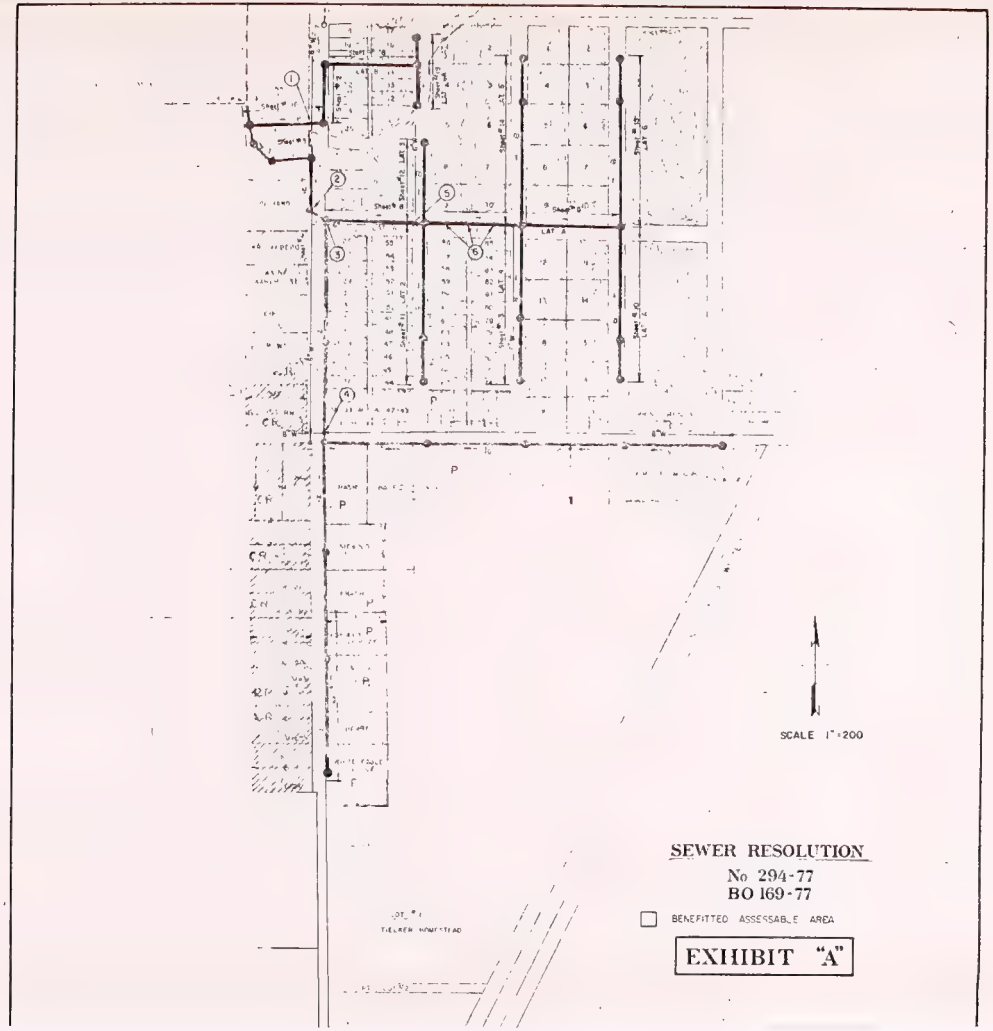

SCALE 1" = 200
SEWER RESOLUTION
No 294-77
BO 169-77
BENEFITTED ASSESSABLE AREA
EXHIBIT "A"

EXHIBIT "B"

	OWNER'S NAME	ADDRESS	NUMBER OF Lot	Square Feet	DESCRIPTION	Total Cost of Improvement Dolls.	Cts.
1	BROWN CHARLES F. & LOUISE E.	7505 Diane Avenue	25	6175	Strathmore Place Addition	307	56
2	MALOTT RAYMOND E. & VERDA M.	2116 Freeman	24	5515	Strathmore Place Addition	274	69
3	SCHLATTER WOODROW H. & JUANITA F.	3223 Oak Grove Avenue	23	5515	Strathmore Place Addition	274	69
4	MILLER DAVID C.	R.R. 1 Lincolnway West Ligonier IN 46767	22	5515	Strathmore Place Addition	274	69
5	MILLER DAVID C.	Same as above	21	5515	Strathmore Place Addition	274	69
6	YOQUELET ANDREW A. & NORMA L.	2321 Freeman	20	5515	Strathmore Place Addition	274	69
7	YOQUELET ANDREW A. & NORMA L.	Same as above	19	5515	Strathmore Place Addition	274	69
8	MALOTT RAY E. & VERDA M	2116 Freeman	17	5785	Strathmore Place Addition	288	13
9	MALOTT RAY E. & VERDA M.	Same as above	16	5515	Strathmore Place Addition	274	69
10	MALOTT RAY E. & VERDA M.	Same as above	15	5515	Strathmore Place Addition	274	69
11	MALOTT RAY E. & VERDA M.	Same as above	14	5515	Strathmore Place Addition	274	69
12	MALOTT RAY E & VERDA M.	Same as above	13	5515	Strathmore Place Addition	274	69
13	MALOTT RAY E. & VERDA M.	Same as above	12	5515	Strathmore Place Addition	274	69
14					"Creed T. Banks Addition"		
15	FLETCHER ROBERT A. & ELIZABETH M.	3114 Banks Avenue	#1 W 132' of S 100' + Vac N5' Banks Ave	13860	Creed T. Banks Addition	690	33
16	BEARD ERNEST L. & DOROTHY R.	2411 Freeman	#1 N 50' of S 150' N of Banks Exc. E 132'	6600	Creed T. Banks Addition	328	73
17	SAYLOR LEWIS JR. & HELEN	2414 Strathmore	#1 S 100' of E 132' N of Banks Ave & N 5' of Vac St	13860	Creed T. Banks Addition	690	33
18	BEHNY KENNETH R	2412 Strathmore	#1 E 132' Exc S 100' S of Junk Ditch	16412	Creed T. Banks Addition	817	45
19	ROGERS ISAAC & MELISSIA	2920 Covington Road	#1 W 132' Exc S 150' N Banks S of Junk Ditch	7300	Creed T. Banks Addition	363	59
20	INDIANA SECURITY INVESTMENT CORP.	3000 Coliseum Blvd. East	9 exc. N 55' & 5' Vac. St. on S	9425	Strathmore Gardens Addition	469	43
21	BICKEL WALTER A. & VELMA P.	2413 Strathmore	9 N 55'	7095	Strathmore Gardens Addition	353	39
22	KINERK EDWARD W. & EDITH I.	2325 Strathmore	8 S 1/2	8127	Strathmore Gardens Addition	404	78
23	KINERK EDWARD W. & EDITH I.	2325 Strathmore	8 N 1/2	8127	Strathmore Gardens Addition	404	78
24	KINERK EDWARD W. & EDITH I.	2325 Strathmore	5	14754	Strathmore Gardens Addition	734	86
25	LOPEZ ESTELLA O.	2319 Strathmore	4	8127	Strathmore Gardens Addition	404	78
26	ROSE GEORGE L. & ESTHER L.	1752 Hickory Road c/o Robert Martinez Sr.	1 10 & 5 ft.	16520	Strathmore Gardens Addition	822	82
27	NUNN ROBERT CHARLES & DORIS M.	3010 Banks Street	Vac. St. on S	16520	Strathmore Gardens Addition	822	82
28	BICKEL WALTER A. & VELMA P.	2413 Strathmore	7	16254	Strathmore Gardens Addition	809	57
29	KINERK EDWARD W. & EDITH I.	2325 Strathmore	6	16254	Strathmore Gardens Addition	809	57
30	GEBHART ALBERT & SOPHIA	1641 Howell	3	14000	Strathmore Gardens Addition	697	30
31	DOETSCH W. E	1303 Goshen Avenue	19 exc. W 1/2	7585	LaFontain Gardens Addition	377	79
32	DAVIS WILL & NORA	2906 Covington Road	19 exc. E 1/2	7585	LaFontain Gardens Addition	377	79
33	ROGERS ISAAC & MALISSIA	2920 Covington Road	18	15170	LaFontain Gardens Addition	755	58
34	BEJARANO LUIS & MARIA G.	2520 LaFontain	15	18039	LaFontain Gardens Addition	898	48
35	BEJARANO LUIS & MARIA G.	2520 LaFontain	14 S 1/2	9019	LaFontain Gardens Addition	449	21
36	MARTINEZ ROBERT P. & ESTHER	3010 Banks Street	14 N 1/2	9019	LaFontain Gardens Addition	449	21
37	BEJARANO LUIS & MARIA G.	2520 LaFontain	11 exc. N 69'	8776	LaFontain Gardens Addition	437	12
38	BOARD OF COMM.	1 Main St Fort Wayne	11 N 69' & 5' Vac. St. on N	9263	LaFontain Gardens Addition	461	37

EXHIBIT "B"

	OWNER'S NAME	ADDRESS	Lot	NUMBER OF Square Feet	DESCRIPTION	Total Cost of Improvement Dolls.	Cts.
1	COOLMAN VASHTI	1809 Babcock Drive	10	17026	LaFontain Gardens Addition	848	02
2	BAIN GEORGE & CLEMENTINE	2235 Covington Road	7	17026	LaFontain Gardens Addition	848	02
3	BOND RAMONA	3220 Thames Drive	6	17026	LaFontain Gardens Addition	848	02
4	BOND RAMONA	3220 Thames Drive	3	17026	LaFontain Gardens Addition	848	02
5	CORDELL ARCHIE	2302 LaFontain	2	17026	LaFontain Gardens Addition	848	02
6	ROGERS ISAAC & MALISSIA	2920 Covington Road	20	15170	LaFontain Gardens Addition	755	58
7	HELTON GEORGE JR.	2615 Morris Street c/o B.B. Charles	17	15170	LaFontain Gardens Addition	755	58
8	HORNE BERNICE B.	2601 Morris Street	16	18039	LaFontain Gardens Addition	898	47
9	COTTON. CARL E. & DELORES	3010 Yauck Drive Saginaw. Michigan 48601	13	18039	LaFontain Gardens Addition	898	47
10	SMITH L. OPAL	7300 Decatur Road Apt. 315	12	18039	LaFontain Gardens Addition	898	47
11	ABERNATHY MATTHEW	2321 Morris Street	9	17026	LaFontain Gardens Addition	848	02
12	ZIEGLER RICHARD E.	1228 Kinsmoor Avenue	8	17026	LaFontain Gardens Addition	848	02
13	HARTE EDITH F.	2317 Morris Street	5	17026	LaFontain Gardens Addition	848	02
14	WARTENBE HARRY & LEONA V.	2501 Strathmore	4	17026	LaFontain Gardens Addition	848	02
15	SCHOEPH RUTH	2301 Morris Street	1	17026	LaFontain Gardens Addition	848	02
16	FEUCHTER FRED C. & LORETTA L.	3116 Covington Road	38	5665	Strathmore Place Addition	282	17
17	FEUCHTER FRED C. & LORETTA L.	Same as above	39	5378	Strathmore Place Addition	267	86
18	FEUCHTER FRED C. & LORETTA L.	Same as above	40	5378	Strathmore Place Addition	267	86
19	DUCK ERVIN D. & ELEANOR E.	2616 Strathmore	41	5378	Strathmore Place Addition	267	86
20	DUCK ERVIN D. & ELEANOR E.	Same as above	42	5378	Strathmore Place Addition	267	86
21	DUCK. ERVIN D. & ELEANOR E.	Same as above	43	5665	Strathmore Place Addition	282	16
22	HARTS EARL D. & ALICE L.	3032 Covington Road	68	5534	Strathmore Place Addition	275	63
23	LANDOLFI ROBERT J. & BETTY L.	5328 Nyack Avenue	69	5253	Strathmore Place Addition	261	64
24	LONGARDNER CORNELIUS P. & URSIE G.	2045 Cherokee Road	70	5253	Strathmore Place Addition	261	64
25	GRESHEM ODEST B. & ETTA A.	3002 Covington Road	71	5253	Strathmore Place Addition	261	64
26	GRESHEM ODEST B. & ETTA A.	Same as above	72	5253	Strathmore Place Addition	261	64
27	GRESHEM ODEST B. & ETTA A.	Same as above	73	5534	Strathmore Place Addition	275	63
28	FEUCHTER FRED C. & LORETTA L.	3116 Covington Road	37	5531	Strathmore Place Addition	275	48
29	PELZ WAYNE E. & VIRGINIA R.	926 Voetter Drive	36	5523	Strathmore Place Addition	275	08
30	KING CLIFFORD & BESSIE	2333 Freeman Street	35	5523	Strathmore Place Addition	275	08
31	PELZ DAVID W.	9325 Crystal Spring Drive	34	5523	Strathmore Place Addition	275	08
32	PELZ WAYNE E. & VIRGINIA R.	926 Voetter Drive	33	5523	Strathmore Place Addition	275	08
33	YOQUELET PAUL L.	3423 Ralston Avenue	32	5523	Strathmore Place Addition	275	08
34	YOQUELET PAUL L.	3423 Ralston Avenue	31	5523	Strathmore Place Addition	275	08
35	HANSHEW EVERT AND L.N.	2515 Freeman	30	5523	Strathmore Place Addition	275	08
36	HANSHEW EVERT AND L.N.	Same as above	29	5523	Strathmore Place Addition	275	08
37	CORDELL ARCHIE G.	2302 LaFontain	28	5523	Strathmore Place Addition	275	08
38	CORDELL ARCHIE G.	Same as above	27	5523	Strathmore Place Addition	275	09

EXHIBIT B

	OWNER'S NAME	ADDRESS	NUMBER OF Lot	Square Feet	DESCRIPTION	Total Cost of Improvement Dolls.	Cts.
1	CORDELL, ARCHIE G.	2302 LaFontain Street	26	5523	Strathmore Place Addition	275	09
2	POPP, RALPH E.	2720 Eastbrook Drive	44	5531	Strathmore Place Addition	275	49
3	OSBORNE HARRY DALE & BETTY JANE	2810 Covington Road	45	5523	Strathmore Place Addition	275	09
4	OSBORNE, HARRY DALE & BETTY JANE	Same as above	46	5523	Strathmore Place Addition	275	09
5	OSBORNE HARRY DALE & BETTY JANE	Same as above	47	5523	Strathmore Place Addition	275	09
6	OSBORNE HARRY DALE & BETTY JANE	Same as above	48	5523	Strathmore Place Addition	275	09
7	BOARD OF COMM.	One Main Street	49	5523	Strathmore Place Addition	275	09
8	BOARD OF COMM.	Same as above	50	5523	Strathmore Place Addition	275	09
9	BOARD OF COMM.	Same as above	51	5523	Strathmore Place Addition	275	09
10	BEYER LUZMILA M.	2510 Strathmore	52	5523	Strathmore Place Addition	275	09
11	BEYER LUZMILA M.	Same as above	53' & S 14 of Lot 54	7364	Strathmore Place Addition	366	78
12	ATKINSON GREG	12 Elm Street Wabash IN 46992	55 & N 28' of Lot 54	9205	Strathmore Place Addition	458	48
13	SNAWDER, ALFRED T. & BETTY JEAN & ADAMS RALPH	2615 Strathmore	67	5394	Strathmore Place Addition	268	66
14	SNAWDER, A.T. & BETTY J. & ADAMS RALPH J.	Same as above	66	5387	Strathmore Place Addition	268	32
15	Von Gunten Irwin W.	441 32nd Street West Palm Beach, FLA. 33407	65	5387	Strathmore Place Addition	268	32
16	SAYLOR, LEWIS JR.	2414 Strathmore	64	5387	Strathmore Place Addition	268	32
17	SAYLOR LEWIS JR.	Same as above	63	5387	Strathmore Place Addition	268	32
18	DUBROVE JACE I. TRUSTEE	118 South Wetherly Drive Los Angeles California	62	5387	Strathmore Place Addition	268	32
19	POPP HERBERT L. & RALPH E.	4702 N. Washington Road	61	5387	Strathmore Place Addition	268	32
20	BOARD OF COMM.	One Main Street	60	5387	Strathmore Place Addition	268	32
21	BOARD OF COMM.	Same as above	59	5387	Strathmore Place Addition	268	32
22	ROGERS ISAAC & MALISSIA	2920 Covington Road	58	5387	Strathmore Place Addition	268	32
23	WARTENBE HARRY A. & LEONA V.	2501 Strathmore	57	5387	Strathmore Place Addition	268	32
24	WARTENBE HARRY A. & LEONA V.	Same as above	56	5387	Strathmore Place Addition	268	32
25	SMALLS PAUL & EVELYN L.	2614 Morris Street	74	5130	Strathmore Place Addition	255	51
26	SMALLS PAUL & EVELYN L.	Same as above	75	5387	Strathmore Place Addition	268	32
27	SMALLS PAUL & EVELYN L.	Same as above	76	5387	Strathmore Place Addition	268	32
28	SMALLS PAUL & EVELYN L.	Same as above	77	5387	Strathmore Place Addition	268	32
29	DANIELS, KATIE L.	517 Hayden Street	78	5387	Strathmore Place Addition	268	32
30	DANIELS KATIE L.	Same as above	79	5387	Strathmore Place Addition	268	32
31	GROSJEAN, GOLDIE L.	2518 Morris Street	80	5387	Strathmore Place Addition	268	32
32	DE VEYRA LUIS & ROWLEE WENDY	2514 Morris Street	81	5387	Strathmore Place Addition	268	32
33	SAME AS ABOVE	Same as above	82	5387	Strathmore Place Addition	268	32
34	SAME AS ABOVE	Same as above	83	5387	Strathmore Place Addition	268	32
35	DAVIS WILL & NORA LEE	2906 Covington Road	84	5387	Strathmore Place Addition	268	32
36	DAVIS WILL & NORA LEE	Same as above	85	5651	Strathmore Place Addition	281	46
37	R.D.M. SPRING REALTY COMPANY	303 14th Street NE Canton, Ohio 44714	#4 S 226' of S 1/2	60681	Creed T. Banks Addition	3022	36
38	CELAREK FRANK J. & MARIAN E.	5630 Chester Blvd.	#4 S 1/2 exc S 226' & 5' Vac. Banks Ave.	80622	Creed T. Banks Addition	4015	56

EXHIBIT "B"

NUMBER OF	OWNER'S NAME	ADDRESS	Lot	Square Feet	DESCRIPTION	Total Cost of Improvement Dolls.	Cts.
1	CELAREK FRANK J. & MARIAN E.	5630 Chester Boulevard		126820	Creed T. Banks Addition - N 1/2 Lot #4 & 5' Vac. Banks Avenue	6316	56
2	CARTER DAVID A.	2712 Covington Road	1	11727	Creed T. Banks Subdivision	584	09
3	CARTER DAVID A.	2712 Covington Road	2	13676	Creed T. Banks Subdivision	681	16
4	CARTER DAVID A.	Same as above	3 & S 19 - 38 Lot #4 & 1/2 Vac. St. 73 exc. N 58	13676	Creed T. Banks Subdivision	681	16
5	NEELY R.H. SR. & A.E.	R.R. 1 Kimmel Indiana	exc. W pt.	8590	Interurban Acre Addition	427	84
6	CROSBY, ROBERT E. INC.	2805 Freeman		14000	S 70' of N 857.3 of W 315.17 NE ¼ 16-30-12 0.52A	697	30
7	BERRY GEORGE M.	2815 Freeman		26800	NW 0.98A of S 10 - 4A NW ¼ NE ¼ 16-30-12 W of RR	1334	84
8	WHITE EAGLE LODGE	2819 Freeman		26800	1A S of NW 0.98A of S 10 - 40A NW ¼ NE ¼ 16-30-12 W of RR	1334	84
9	RICHARDS, GEORGE E. & GENEVA B.	2420 Freeman	#35 lying SE of Junk Ditch	43000	Hartman's Outlots	2141	71
10	KRUCKEBERG AUGUST & ELIZABETH	2502 Freeman	#34 N 109'5' of E 640'	21900	Hartman's Outlots	1090	78
11	WAYNE WAREHOUSING & CARTAGE. INC.	6900 Nelson Road	#34 S 109 5' S of N 219' of E 640'	21900	Hartman's Outlots	1090	78
12	OSBORNE THOMAS M. & TIMOTHY REX	5905 S. Bend Drive	#34 S 109 5' of E 640'	21900	Hartman's Outlots	1090	78
13	CROWELL DONAL LEE	2618 Freeman	#33 N 82 1/2 of E 640'	16500	Hartman's Outlots	821	82
14	BRAMMELL, GERALD F. & ZORA	2626 Freeman	#33 N 74' of S 242.5' of E 105'	7400	Hartman's Outlots	368	57
15	RAINBOW FURNITURE CO., INC.	3204 Covington Road	#33 Exc. W 74' of S 242 5' of E 100'	32800	Hartman's Outlots	1633	68
16	OSBORNE, HARRY DALE & BETTY JANE & TIMOTHY REX	2810 Freeman	6	21748	Rousseau's 2nd Garden Addition	1083	21
17	OSBORNE, HARRY DALE & TIMOTHY REX	Same as above	7	15780	Rousseau's 2nd Garden Addition	785	96
18	OSBORNE HARRY DALE & TIMOTHY REX	Same as above	8	15780	Rousseau's 2nd Garden Addition	785	96
19	RIEDEL BERTHA M.	3213 Fairfield	9	15780	Rousseau's 2nd Garden Addition	785	96
20	VAN HOOZEN RUTH C.	Mail to Ethel Van Hoozen Box 166 Ossian IN 46777	10	15780	Rousseau's 2nd Garden Addition	785	96
21	VAN HOOZEN RUTH C.	Same as above	11	15780	Rousseau's 2nd Garden Addition	785	96
22	VAN HOOZEN ETHEL	Box 166 Ossian IN 46777	12	15780	Rousseau's 2nd Garden Addition	785	96
23	OSBORNE, TIMOTHY R. & NADA	2810 Freeman	13	15780	Rousseau's 2nd Garden Addition	785	96
24	MEYERS MARTIN C. & ELIZABETH	2820 Freeman	14 S 1/2	7890	Rousseau's 2nd Garden Addition	392	98
25	BOARD OF COMM.	One Main Street c/o Richard McCormick	15	15780	Rousseau's 2nd Garden Addition	785	96
26	DECKER JAMES E. & E. B.	2828 Freeman Street	16	15780	Rousseau's 2nd Garden Addition	785	96
27	DECKER JAMES E. & E. B.	Same as above	17	15780	Rousseau's 2nd Garden Addition	785	96
28	OSBORNE TIMOTHY R. & NADA	2810 Freeman	14 N 1/2	7890		392	98
29	FRASH ROBERT	20222 Hogue Rd. Noblesville, IN 46060		38250	N 275' of W 150 NW ¼ NE ¼ 16-30-12	1905	13
30	HILGEMAN NORMAN C. & BETTIE J.	609 Candelite Court		33034	N 275' of E 165.17 of W 315.17	1645	33
31	MELCHING MAX E. & BITLER GEORGE O.	4911 Southwood Avenue		63140	6.2A E of W 62A N PT NE ¼ 6.2A	3144	83
32	BOESCH GEORGE	2502 Nuttman Avenue		63140	6.2A E of W 12.4A N PT NE ¼ 6.2A	3144	83
33	ECONOMY FORMS CORP.	2801 Covington Road		63140	W 5A of N 620A W of RR NW ¼ NE ¼	3144	83
34	LARIMORE RICHARD TR	1815 E. Wayne		30000	N 1.2A W of RR NE ¼	1494	22
35	SIEBOLD PRICE TREE & LANDSCAPING INC.	2040 Henrietta		29484	S 147.44 of N 422.44 of W 315.17 NW ¼ NE ¼ 16-30-12 1.066A	1468	52
36	FRASH ROBERT & A.	20222 Hogue Road Noblesville IN 46060		29486	N 569.87 of W 315.17 NW 1/2 NE ¼ 16-30-12 1.04A	1468	52
37	HECHT CHARLES WILLIAM & MCKEE ROY	2801 Freeman		29486	S 147.43' of N 717.30 of W 315.17 NW ¼ NE ¼ 16-30-12 1.06A	1468	52
38	CROSBY. ROBERT E. INC.	2805 Freeman		14000	N 70 of S 140 of N 857.3 of W 315.17 NE ¼ 16-30-12 0.52A	697	30
			TOTAL	2 069 105 00	sq ft		

67-54-15 H.I.
2/22/79

CAPITAL IMPROVEMENT RESOLUTION 67-54-15

FERNHILL AVENUE EXTENDED

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana has adopted a Year 2000 Capital Improvement Street Program to serve the City of Fort Wayne, all in accordance with requirements outlined by Federal Highway Administration; and,

WHEREAS, the City of Fort Wayne wishes to construct Fernhill Avenue Extended between Wells Street and Northrop Avenue in compliance with the Year 2000 Plan; and,

WHEREAS, this represents the continuing effort of the Board of Public Works to implement the Transportation Plan; and,

WHEREAS, representatives of the Board of Public Works have prepared detailed plans and specifications for said Capital Street Improvement:

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that arrangements for the construction of Fernhill Avenue Extended shall be made all in accordance with details, drawings, and specifications on file in this office of the Board of Public Works and said project will be offered for a Bid Letting in April of 1979; and, said Board of Public Works hereby orders such improvements.

The cost of said improvement shall be paid by the City of Fort Wayne and the Indiana State Highway Commission in accordance with Agreements between the City of Fort Wayne and The Indiana State Highway Commission.

ADOPTED this 22 day of February, 1979.

FORT WAYNE BOARD OF PUBLIC WORKS

BY: Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

ATTEST: Ursula Miller
Ursula Miller, Secretary-Clerk

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

board of public works

CERTIFICATION

I, Ursula Miller, the duly appointed and acting Clerk of the Board of Public Works of City of Fort Wayne, Indiana, hereby Certify that the attached Capital Improvement Resolution No. 67-54-15 concerning Fernhill Avenue Extended is a true and complete copy of said Resolution as passed by the Board of Public Works on February 22, 1979.

Ursula Miller

URSULA MILLER

Subscribed and sworn to before me a Notary Public this 26th day of February, 1979.

Anne J. Fox

ANNE J. FOX
NOTARY PUBLIC
RESIDENT OF ALLEN COUNTY, INDIANA

My Commission expires:

March 3, 1980

AN EQUAL OPPORTUNITY EMPLOYER

CIVIL CITY OF FORT WAYNE
FORT WAYNE, INDIANA

DESCRIPTION	APPROPRIATION NUMBER	CLAIM NUMBER	AMOUNT OF CLAIM	AMOUNT OF WARRANT
	402-338-338-4929	17	$1,300.00**	$1,300.00**

PLEASE DETACH AND RETAIN THIS PORTION

CIVIL CITY OF FORT WAYNE
FORT WAYNE, INDIANA

INDIANA BANK
FORT WAYNE, INDIANA
71-34
749

I 12747

FUND	WARRANT NUMBER	DATE	AMOUNT
338	12747	MAR. 5, 1979	$1,300.00**

PAY TO THE ORDER OF

CONSOLIDATED RAIL CORPORATION

William A. Schnitzer
CONTROLLER

TREASURER

⑈012747⑈ ⑆074900343⑆42⑈3 369 348⑈

Memorandum

To Board of Works Date February 20, 1979

From Kenneth N. Traylor

Subject Capital Improvement Resolution - Fernhill Avenue Extended

COPIES TO:

Attached is copy of Resolution which, hopefully, will satisfy the requirements of the railroad.

A Improvement Resolution will be prepared at such time as the project is finalized and ready for a Bid Letting.

Kenneth N. Traylor

KNT:ms

Att.

67-54-15 H.I 2/22/79

67-54-14 H.I
2/22/79

AGREEMENT FOR ENGINEERING SERVICES
SUPPLEMENTAL AGREEMENT NO. 1

FOR

ADDITIONS AND IMPROVEMENTS
TO THE
WASTEWATER FACILITIES

CITY OF
FORT WAYNE, INDIANA

AND

HOWARD NEEDLES TAMMEN & BERGENDOFF
Henry B. Steeg & Associates Division
ARCHITECTS ENGINEERS PLANNERS
INDIANAPOLIS, INDIANA

SUPPLEMENTAL AGREEMENT NO. 1

THIS SUPPLEMENTAL AGREEMENT, by and between the CITY OF FORT WAYNE, INDIANA, acting by and through its Board of Public Works, hereinafter referred to as the OWNER, and HOWARD NEEDLES TAMMEN & BERGENDOFF, HENRY B. STEEG & ASSOCIATES DIVISION, a partnership, hereinafter referred to as the ENGINEER, WITNESSETH THAT:

WHEREAS, the OWNER desires additional services in connection with project not previously defined in the basic Agreement; and

WHEREAS, all provisions of the basic Agreement not specifically changed by this Supplemental Agreement shall remain in effect; and

WHEREAS, the ENGINEER agrees to perform professional services as hereinafter set forth; and

WHEREAS, the OWNER agrees to employ, and does hereby employ the ENGINEER for the professional services hereinafter set forth, and agrees to pay the ENGINEER for such services the fee hereinafter set forth in this Agreement.

ARTICLE 1. THE ENGINEER'S SERVICES

Article I is changed by adding Paragraph F as follows:

F. The ENGINEER shall prepare for the OWNER a Step 3 grant application for monies to assist in the funding of the construction phase for the work designed by the ENGINEER pursuant to Article I, Paragraph A, Phase A.

ARTICLE 3. PAYMENT TO THE ENGINEER

The following paragraph is added to Article 3:

For services provided pursuant to Article I, Paragraph F, the OWNER shall reimburse the ENGINEER a lump sum amount of $2,500. This fee shall be billed upon submittal to the OWNER of a completed Step 3 grant application suitable for execution by the OWNER'S designated signatory. Payment to the ENGINEER shall be within thirty (30) days of the receipt of the ENGINEER'S claim.

EXECUTION

The OWNER and the ENGINEER hereby agree to the full performance of the covenants contained herein.

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreement No. 1 in triplicate this 22 day of February, 1979.

HOWARD NEEDLES TAMMEN & BERGENDOFF
Henry B. Steeg & Associates Division
ARCHITECTS ENGINEERS PLANNERS

By _____

CITY OF FORT WAYNE, INDIANA

Attest:

Ursula Miller

By _____

May 9 1979

Its Board of Public Works

87 9

67-53-4 H.I. 2/22/79

citizens cable .....

405 BROADWAY
NEW HAVEN, INDIANA 46774
219-493-3711

February 19, 1979

BOARD OF PUBLIC WORKS
RECEIVED
FEB 21 1979

NOTED
☐ H.P.W.
☐ E.H.L.
☐ M.G.S.
Date 2/22/79

Board of Public Works
City of Fort Wayne
9th Floor City-County Bldg.
Ft. Wayne, Ind. 46802

Att: Henry P. Wehrenberg, Ch.

Dear Members:

This will acknowledge your contract for "non-exclusive franchise for cable communications systems to Citizens Cable of Allen County, Inc.," dated February 5, 1979.

We accept all the terms and conditions of that contract as well as those provisions applicable under the following Ordinances of the City of Fort Wayne No. G-27-77 and No. G-03-79.

Thank you for your consideration. We expect to serve the citizens of these areas of Fort Wayne well.

Cordially,

John F. Bonsib
President

JFB:kw

Attest: Barbara Nattker
Asst. Sec.-Treas.

Date: 2/19/79

CITIZENS CABLE COMMUNICATIONS, INC.

CITIZENS CABLE OF ALLEN COUNTY, INC.
A SUBSIDIARY OF CITIZENS CABLE COMMUNICATIONS, INC.

67-47-10 H.I 2/12/79

AGREEMENT

This agreement made and entered into as of JAN 31, 1979, by and between the City of Fort Wayne, Allen County, Indiana, hereinafter referred to as the "City" and Consolidated Rail Corporation, hereinafter referred to as the "Company", witnesseth

WHEREAS, the City proposes to construct a public roadway to be an extension of Fernhill Avenue from the intersection of Northrop Avenue westerly to an intersection with Wells St.. Along said alignment the proposed roadway will cross over and on the right-of-way, property and tracks of the Company.

WHEREAS, in the interest of public convenience, the City desires to be constructed a highway-railroad crossing at grade including the installation of appropriate automatic warning signals and safety devices at the location and alignment shown on Exhibit "A".

WHEREAS, no public access exists at the point of intersection of said proposed roadway and the right-of-way and tracks of the Company, the City has petitioned the Public Service Commission of Indiana for the authority to construct a highway-railroad crossing at grade and subsequently received the authority and approval of the said Public Service Commission in Docket No. 35006, dated March 29, 1978.

NOW, therefore, in consideration of the premises and of the mutual covenants and agreements as hereinafter contained, the parties hereto agree as follows:

I. The City will prepare plans for a public roadway to be known as Fernhill Avenue Extended, said plans to be made part of this agreement by reference, as Exhibit "A". All plans, specifications and contract awards affecting the interests of the Company shall be subject to approval by the Chief Engineer of the Company before work is started. No changes in the plans affecting the interests of either party hereto shall be made without the written consent of said party.

II. The Company agrees to grant to the City by separate instrument, at a price to be agreed upon, insofar as it has the legal right to do so, an easement

for roadway purposes across its property of sufficient width to permit construction and maintenance of the roadway as shown on Exhibit "A" attached subject to all leases and easements in existence with other companies or utilities. Details of this instrument will be handled by the Railroad's Manager, Real Estate in Chicago, Illinois.

III. The Company has prepared a force account estimate setting forth the estimated costs for constructing a highway-railroad crossing at grade, including adjustments in its facilities to accommodate the roadway, designated as Exhibit "B", also a force account estimate pertaining to the signal and safety devices designated as Exhibit "C", both attached hereto and made a part hereof.

IV. The parties hereto shall construct or cause to be constructed, substantially in accordance with Exhibit "A", Exhibit "B", Exhibit "C" and other approved drawings and specifications, and subject to payment by the City to the Company all expenses and costs incurred by the Company as provided elsewhere herein, the following items of work:

A. Work by the Company:

1. Provide for rehabilitation of track structures by the installation of rails, ties, ballast, and appurtenances, to accommodate the installation of grade crossing surfacing materials.
2. Provide and place prefabricated rubber slabs for a width of 60 feet as measured along the rails to the outside end of ties on each side of tracks at grade crossing.
3. Install automatic crossing signals and safety devices and provide relays and terminals such that the Company signals and safety devices may be interconnected with the City's traffic signals at the Northrop and Fernhill intersection.
4. Perform incidental work necessary to complete the items herein above specified.

B. Work by the City:

1. Provide for grading and drainage structures to accommodate roadway at the approaches to the crossing at grade.
2. Provide for roadway paving up to the outside end of ties at grade crossing.
3. Install advance warning signs in both directions from the crossing at grade.

V. The work to be accomplished by the Company will be done substantially in accord with Exhibits "B" and "C", but the Company will bill the City on the basis of actual cost and expense of work performed. The Company reserves the right to present for payment progress statement at the end of each month. All progress statements will be paid in full on receipt. Upon the completion of work, a final bill will be presented less the amount of any progress statement paid. The City shall have the right to audit the accounts of the Company relating to this project. The City shall promptly reimburse the Company for such items of work and expense, in such amounts as are proper and eligible for payment as determined by final audit to be made by the City within thirty (30) days following receipt of final bill. Billing by the Company shall clearly show whether they are partial or final. The Company shall not be obligated to commence any work to be undertaken by it hereunder until notified in writing by the City to proceed and shall have received assurance from the City that the project is funded and has been approved by all necessary authorities. The Company shall commence its work as herein provided within sixty (60) days of such notification. Buying and assembling of materials shall be construed as complying with the foregoing sixty day provision.

VI. Upon completion of the improvement herein contemplated, the Company shall maintain its facilities limited to tracks and railroad roadbed within the limits of the grade crossing at its sole cost and expense. The City shall maintain the roadway up to the outside ends of ties at the tracks and all roadway appurtenances at its sole cost and expense. The maintenance and repair of grade crossing paving shall be performed by the Company at the cost and expense of the City. It shall be the responsibility of the City to notify the Company as to the nature and extent of such maintenance and repairs the City considers to be necessary. The City agrees to pay the Company promptly on receipt of bills for all materials, labor and work equipment used in performing maintenance and repairs at the City's request, inclusive of material and labor additives prescribed by the Federal Aid Highway Program Manual, Volume 6, Chapter 6, Section 2, issued October 22, 1975, and any subsequent amendments or supplements thereto.

VII. The City if performing their work by contract, will specify to their contractors that he (they) shall take out and maintain in effect until all work is complete, before any work is performed on or about railroad operating right-of-way, insurance in the name of the Company, in an insurance company authorized to do business in the State of Indiana, to protect the Company against loss or damage to

property, demands, expenses, suits or judgments arising because of, or resulting from the operations of the contractors, the subcontractors, agents or employees, such policy of insurance to provide for payment not to exceed the following amounts:

1. Contractor's Public Liability Insurance

The Contractor shall furnish evidence that, with respect to the operations he performs, he carries regular Contractor's Public Liability Insurance providing for a limit of not less than $2,000,000, single limit, bodily injury and/or property damage combined, for damages arising out of bodily injuries to or death of all persons in any one occurrence and for damage to or destruction of property, including the loss of use thereof, in any one occurrence.

2. Contractor's Protective Public Liability Insurance

The Contractor shall furnish evidence that, with respect to the operations performed by subcontractors, he carries in his own behalf regular Contractor's Protective Public Liability Insurance providing for a limit of not less than $2,000,000, single limit, bodily injury and/or property damage combined, for damages arising out of bodily injuries to or death of all persons in any one occurrence and for damage to or destruction of property, including the loss of use thereof, in any one occurrence.

3. Railroad's Protective Public Liability Insurance

In addition to the above, he shall furnish evidence that, with respect to the operations he or any of his subcontractors perform, he has provided Railroad Protective Public Liability Insurance (AAR-AASHO form) in the name of Consolidated Rail Corporation providing for a limit of not less than $2,000,000, single limit, bodily injury and/or property damage combined, for damages arising out of bodily injuries to or death of all persons in any one occurrence and for damage to or destruction of property, including the loss of use thereof, in any one occurrence.

The insurance hereinbefore specified shall be carried until all work required to be performed under the terms of the contract is satisfactorily completed and formally accepted. Failure to carry or keep such insurance in force until all work is satisfactorily completed shall constitute a violation of the contract.

The Contractor shall furnish to the Railroad Company signed copy of the policy for Contractor's Public Liability Insurance; also original copy of the AAR-AASHO policy for Railroad's Protective Public Liability Insurance. If any

work is subcontracted, the Contractor shall furnish signed copy of the policy for Contractor's Protective Public Liability Insurance.

VIII. All work herein provided to be done within the right-of-way of the Company shall be done in a manner as to cause the least possible interference with the Company's trains, traffic and operations and in a manner satisfactory to the Company. Any work to be performed by the City or its contractors on or adjacent to the Company's track and right-of-way which might interfer with Company operations shall be performed on 48 hours notice to the Company's Division Engineer, Fort Wayne Division, Fort Wayne, Indiana.

IX. The City shall require its contractors to assume and bear the cost of all protective measures which the Company may deem necessary to safeguard their employees, tracks, trains, and other property or facilities.

X. If at any future time, the parties hereto agree that the need for the grade crossing warning devices herein contemplated has ceased to exist at the Fernhill Avenue crossing, the Company may, with the approval of the City, remove said devices to any other crossing on its lines in the City of Fort Wayne in accordance with the terms and condition of this agreement, except the terms of Section V. The proposed devices shall become the property of the Company, except in the case of termination of the Company as an existing carrier by rail in Indiana, in which case title to the devices shall revert to the City.

XI. The City will place and maintain railroad advance warning signs and pavement markings applicable to flashing light projects in accordance with the "Indiana Manual on Uniform Traffic Control Devices for Streets and Highways", as adopted by the State of Indiana and conformance with the "National Manual on Uniform Traffic Control Devices".

This Agreement shall be binding upon the parties hereto, their successors or assigns.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their proper officers thereunto duly authorized.

CONSOLIDATED RAIL CORPORATION

BY: J T Sullivan
Chief Engineer
Design & Construction

ATTEST: W Goodwin

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

ATTEST: Ursula Miller
Secretary-Clerk

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

On this 24 day of January, 1979, there appeared before me, a Notary Public in and for said County, HENRY P. WEHRENBERG, ETHEL H. LAMAR, MAX G SCOTT and URSULA MILLER respectively, of the Board of Public Works of the City of Fort Wayne and stated that the above agreement was signed and attested in behalf of said City.

Witness my hand and seal this 24 day of January, 1979.

Anne J. Fox
Notary Public ANNE J. FOX
Resident of Allen County, Indiana

My Commission Expires: 3/6/80.

48

ACKNOWLEDGMENT

STATE OF PENNSYLVANIA)
)
COUNTY OF PHILADELPHIA) SS:

On this 31st day of January, 19 79, there appeared before me, a Notary Public in and for said County, J.T. Sullivan _____ who being by me duly sworn did say that ~~he is~~ he is Chief Engineer - Design & Construction _____, of the CONSOLIDATED RAIL CORPORATION, a corporation of Pennsylvania and that said agreement was signed and sealed in behalf of said corporation and that said J.T. Sullivan _____ acknowledged the same to be the free act and deed of the said CONSOLIDATED RAIL CORPORATION.

Witness my hand and seal this 31 day of Jan, 1979.

_____
Notary Public

WILLIAM R. WOODWORTH
Notary Public, Philadelphia, Pa.
My Commission Expires [illegible]

My Commission Expires: _____

CONSOLIDATED RAIL CORPORATION EXHIBIT "B"

Project: Fernhill Road Extension - PSCI Docket No. 35006
Location: Ft. Wayne, Allen County, Indiana
DOT/AAR#: Fourth Street Branch, MP 2.1, L.C. 3136.

Install Rubber Pad grade crossing at the crossing of Fernhill Road with the Conrail Railroad Company track, and raise track to new road elevation.

Work Order No. 42500

FORCE ACCOUNT ESTIMATE FOR GRADE CROSSING

Item	Amount	Total
Preliminary Engineering		$ 500.
Construction Engineering		700.
Material		
Track work	$ 12,943.	
Grade crossing	16,800.	
Other Material-Perforated Pipe	774.	
Total Material		$30,417.
Transportation of Material		800.
Store Expense		1,521.
Equipment		4,118.
Labor		
Direct Labor	$ 16,124.	
Holidays, vacation and pension	1,900.	
Payroll taxes	4,780.	
Insurance	2,885.	
Meals and lodging		
Total Labor		$25,689.
Contingencies		1,000.
Total cost		64,745.
Less credit for salvage		472.
Net Total		$64,273.

Estimate Good For 60 Days.

OFFICE OF CHIEF ENGINEER
DESIGN & CONSTRUCTION
Philadelphia, Pa. (WRA)
April 10, 1978

Contract Work
Fill For Embankment 5,000.

Grand Total $69,273.

48

EXHIBIT "C"

Project: Fernhill Road Intersection [illegible] Sec. [illegible]
Location: Fort Wayne, Allen County, Indiana
DOT/AAR#: Fourth Street Branch MP 2.1, Line 3136.

Install Cantilever Flashers and Short Arm Gates controlled by track circuit equipment, all conforming to the Manual on Uniform Traffic Control Devices, Traffic Control Systems for Railroad-Highway Grade Crossings at the crossing of Fernhill Road and the Conrail Railroad Company Tracks, Fulton County.

WORK ORDER ESTIMATE

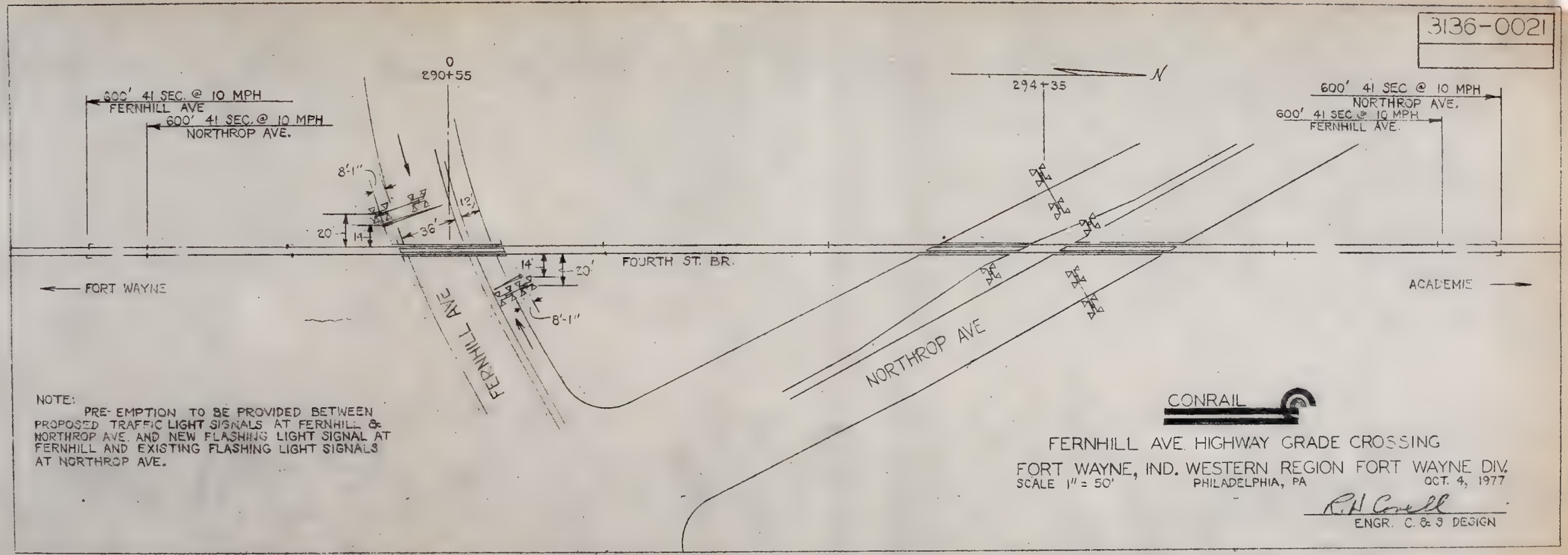
FORCE ACCOUNT ESTIMATE

Item	Quantity	Amount	Total
Preliminary Engineering			800
Construction Engineering			2,750
Material			
Automatic signals and gates	2	15,358	
Cases pre-wired and complete (Any other major item) With Apparatus	1	9,350	
Other Material	L.S.	7,033	
Total Material			$ 31,641
Transportation of Material			1,000
Store Expense			1,582
Equipment			1,000
Labor			
Direct Labor - [illegible]		[illegible]	
Holidays, vacation and pension		[illegible]	
Payroll taxes		1,345	
Insurance		[illegible]	
Meals and lodging		2,400	
Total Labor			$ 15,905
Contingencies			1,000
Total cost			55,678
Less credit for salvage			0
Net Total			$ 55,678

OFFICE OF CHIEF ENGINEER - DESIGN & [illegible]
Philadelphia, [illegible]
November 28, 1977 (WRA)

Note: [illegible]

3136-0021



NOTE:
PRE-EMPTION TO BE PROVIDED BETWEEN PROPOSED TRAFFIC LIGHT SIGNALS AT FERNHILL & NORTHROP AVE. AND NEW FLASHING LIGHT SIGNAL AT FERNHILL AND EXISTING FLASHING LIGHT SIGNALS AT NORTHROP AVE.

CONRAIL

FERNHILL AVE. HIGHWAY GRADE CROSSING

FORT WAYNE, IND. WESTERN REGION FORT WAYNE DIV.

SCALE 1" = 50' PHILADELPHIA, PA OCT. 4, 1977

R. H. Covell

ENGR. C. & S. DESIGN

48

Memorandum

To Board of Works Date February 9, 1979

From Kenneth N. Traylor

Subject Proposed Grade Crossing Fernhill Avenue Extended
Fourth Street Branch - Consolidated Rail Corporation

COPIES TO:

Attached is fully executed agreement between Consolidated Rail Corporation and the City of Fort Wayne, along with copy of letter of transmittal from Conrail.

Please advise if I should prepare a letter to Conrail authorizing them to proceed with the grade crossing and protective devices in accordance with plans and specifications.

The Street Engineering Department's present time schedule calls for redesign of the project because the fill material placed by Mr. Heine has changed the entire surface condition of the area and, therefore, I do not feel that the present pavement design will serve the area adequately. The present pavement design followed the old surface contour and would now be four to five feet below the fill area. After redesigning, which will probably take several months, I expect the project to be ready for a bid letting in May of 1979 with construction commencing the latter part of June. The project hopefully would then be completed in mid-December or early January, depending on the weather.

The railroad does need considerable time to design facilities and order material. Therefore, it is imperative they be advised to start immediately, should the Board wish to proceed.

Kenneth N. Traylor

KNT:ms

48

CONRAIL

FEB 6 1979

RECEIVED
FEB 5 1979
Mayor's Office

January 31, 1979

Subject: Fort Wayne, Allen County, Indiana
Proposed New Grade Crossing, Fernhill
Avenue Extended, Fourth Street Branch,
MP 2.1, L.C. 3136, WO #42500. (File: 320 - WRA)

The Honorable Robert E. Armstrong
Mayor
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mayor Armstrong:

Thank you for your January 24, 1979 letter transmitting Agreement executed on behalf of the City of Fort Wayne for the grade crossing portion of your project.

As requested, enclosed are two copies of the fully executed Agreement for your files. We await your authority to proceed with the grade crossing and protective devices so that the circuits may be designed and material acquired for both the protection devices and crossing surface.

We appreciate your prompt response and, if we can be of further assistance to you, please contact us.

Very truly yours,

J.T. Sullivan

J.T. Sullivan, P.E.
Chief Engineer
Design & Construction
19th Fl.
(215) 893-6057

CONSOLIDATED RAIL CORPORATION 1528 WALNUT STREET PHILADELPHIA, PA 19102

48

Date February 12, 1979 ~~67-47-10~~

To: KEN TRAYLOR - St. Engr. Dept.

Subject: Proposed Grade Crossing Fernhill Ave. Ex.
Fourth St. Branch - Consolidated Rail Corp.

Per your memo of February 9, 1979, please notify Conrail to proceed in accordance with plans and specifications.

H. P. WEHRENBERG
E. H. LAMAR
M. G SCOTT
BOARD OF PUBLIC WORKS

ajf

FORM D-100

H.I
67-46-8 2/12/79

SEWER EASEMENT RESOLUTION NO. 162-78
Permanent and Temporary

orig to Jeff WPC for recording picture 4/11/80

For the condemnation of Permanent and Temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southwest Quarter of Section 8, Township 30 North, Range 12 East and the Southwest Quarter of Section 9, Township 30 North, Range 12 East, bounded on the North by Taylor Street, bounded on the South by Covington Road, bounded on the East by Elyetta Street, bounded on the West by Country Club Road.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for Permanent and Temporary sewer easement purposes to construct, operate, control and maintain a sewer line along and across a portion of the Southwest Quarter of Section 8, Township 30 North, Range 12 East and the Southwest Quarter of Section 9, Township 30 North, Range 12 East; bounded on the North by Taylor Street, bounded on the South by Covington Road; bounded on the East by Elyetta Street; bounded on the West by Country Club Road; more particularly described as follows:

1. The following described permanent and temporary easement within lot 79 of Interurban Acre Addition as recorded in Plat Book 3, page 75; more particularly described as follows:

   A. Permanent Easement

   A 10 foot in uniform width easement lying immediately North of and adjacent to the South property line of said lot 79.

   B. Temporary Easement

   A 15 foot in uniform width easement lying immediately North of and adjacent to the aforementioned Permanent Easement.

2. The following described permanent and temporary easements within lot 80 of Interurban Acre Addition as recorded in Plat Book 3, page 75; more particularly described as follows:

   A. Permanent Easement

   A 10 foot in uniform width easement lying immediately South of and adjacent to the North property line of said lot 80.

   B. Temporary Easement

   A 10 foot in uniform width easement lying immediately South of and adjacent to the aforementioned permanent easement.

3. The following described permanent and temporary easements within lot 29 of Hartman's outlots as recorded in Deed Record 52, page 478; more particularly described as follows:

   A. Permanent Easement

   Beginning at an existing iron pin, said iron pin also being the Southwest corner of said lot 29; thence North 125 feet to the place of begin-

q 90

67-46-7 H.I 2/12/79

SEWER RESOLUTION NO. 304-78

COVINGTON RD. - ARDMORE RD. - SANITARY SEWER EXTENSION

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that the construction of a sanitary sewer interceptor to extend sewage collection service to Crestholme Amd. Addition and part of Hartman's Outlots, which from its size and character is not only intended for use by property owners whose property abuts along the line of said sewer but for future extension of said main, be and the same is hereby ordered.

Main Line:

Beginning at an existing manhole located 7± L.F. south of the southeast corner of lot #79 of Interurban Acre Addition as recorded in Plat Book 3 pg. 75; thence northwesterly 380± L.F. to a proposed manhole located 150± L.F. west of and 120± L.F. north of the southeast corner of lot #29 of Hartman's Outlots as recorded in Deed Record 52 pg. 478; thence west 1377± L.F. to a proposed manhole located 5± L.F. south of the southwest corner of lot #4 of Crestholme Amd. Addition as recorded in Plat Book 8 pg. 50; thence south 795± L.F. to a proposed manhole located 10± L.F. west of and 30± L.F. south of the southwest corner of lot #10 of said Crestholme Amd. Addition; thence west 1055± L.F. terminating at a proposed manhole located 15± L.F. west of and 10± L.F. south of the Northwest corner of lot #33 of said Crestholme Amd. Addition.

Lateral #A

Beginning at a proposed manhole located 5± L.F. south of the southwest corner of lot #4 of Crestholme Amd. Addition as recorded in Plat Book 8, pg. 50; thence north 385± L.F. terminating at a proposed manhole located 5± L.F. South of the Northwest corner of lot #2 of said Crestholme Amd. Addition.

Lateral #B

Beginning at a proposed manhole located 6± L.F. north of and 2± L.F. west of the southwest corner of lot #7 of Crestholme Amd. Addition as recorded in Plat Book 8, pg. 50; thence east 6± L.F. terminating at a proposed bulkhead.

Lateral #C

Beginning at a proposed manhole located 10± L.F. west of and 30± L.F. south of the southwest corner of lot #10 of Crestholme Amd. Addition as recorded in Plat Book 8, pg. 50; thence east 240± L.F. terminating at a proposed manhole.

Lateral #D

Beginning at a proposed manhole located 52± L.F. west of and 10± L.F. north of the northwest corner of lot #30 of Crestholme Amd. Addition as recorded in Plat Book 8, pg. 50; thence north 550± L.F. to a proposed manhole.

Lateral #E

Beginning at a proposed manhole located 5± L.F. south of the northwest corner of lot #2 of Crestholme Amd. Addition as recorded in Plat Book 8, pg. 50; thence east 135± L.F. terminating at a proposed Cleanout.

Said sewer shall be 24" and 8" in diameter, with all appurtenances to be constructed in accordance with plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana, and shall be used for sanitary purposes only.

All work done in the making of the aforementioned public improvement shall be in accordance with the terms and conditions of the resolution aforementioned and the plans, profiles and specifications now on file in the Office of the Board of Public Works of said City.

The total cost of said sewer shall be paid by the City of Fort Wayne, Indiana, out of sewer utility funds and the holders of property beneficially affected thereby shall be assessed in proportion to the benefits received, including not only the property abutting on the line of said sewer but also all property which may be beneficially affected by the construction of said sewer which lies within the following described territory in the City of Fort Wayne, County of Allen, State of Indiana, to-wit: all lots and lands.

DESCRIPTION OF ABUTTING PROPERTIES

See EXHIBIT "A"

1. Lots 1 through 35 inclusive in Crestholme Amd. Addition as recorded in Plat Book 8, page 50.

2. Lots 4 and 29 inclusive in Hartman's Outlots as recorded in Deed Record 52, page 478.

3. Space now or formerly owned by Robert Cutter located within the Southeast quarter of section 8, Township 30 North, Range 12 East as recorded in Deed Book 507, page 567.

DESCRIPTION OF BENEFITTED PROPERTIES
See EXHIBIT "B"

The Benefitted Area consists of approximately six hundred forty (640) acres located in Section 17, Township 30 North, Range 12 East, and is bounded generally on the North by Covington Road, on the South by Engle Road, on the East by Ardmore Avenue, and on the West by Smith Road.

Since the City of Fort Wayne has received a cash committment from a contract purchaser of a abutting property (Mr. Zoltan Herman, 4114 Covington Road) in the amount of fifty thousand ($50,000.00) dollars towards the contribution of said sewer, the total cost of said sewer less thirty-two thousand ($32,000) dollars shall be assessed against both the abutting and benefitted properties. It is expressly intended and provided that the City of Fort Wayne shall pay no part of the cost to construct said sewer unless it be for that portion of the cost to construct the said sewer which will serve the benefitted properties. In which case the City of Fort Wayne may adopt a resolution through its Board of Public Works establishing an area wide assessment (to be determined in the future) throughout the area of the benefitted properties in an amount equal to that portion of the cost to construct the said sewer which will serve the benefitted properties.

The total cost of said sewer less both thirty-two thousand ($32,000) dollars and that portion of the cost to construct the said sewer which will serve the benefitted properties shall be apportioned against and paid by the property owners whose properties abuts thereon all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana, entitled, Indiana Code; Title 18; Article 1; Chapters 6 & 7, and the provisions of all Acts amendatory thereto and supplemental thereof.)

The assessments for those property holders whose property abuts thereon to said sewer shall pay their total apportioned assessment to the City of Fort Wayne upon their connection into said sewer. The first eighteen thousand ($18,000.00) dollars collected in assessments from the abutting properties shall be paid to Mr. Zoltan Herman for his original cash contribution towards the cost to construct said sewer.

Adopted, this 12 day of February 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry Wehrenberg, Chairman

Ethel LaMar
Ethel LaMar, Member

Max Scott
Max Scott, Member

Attest: Ursula Miller
Ursula Miller, Clerk

RES. NO. 304 - 1978
EXHIBIT "A"

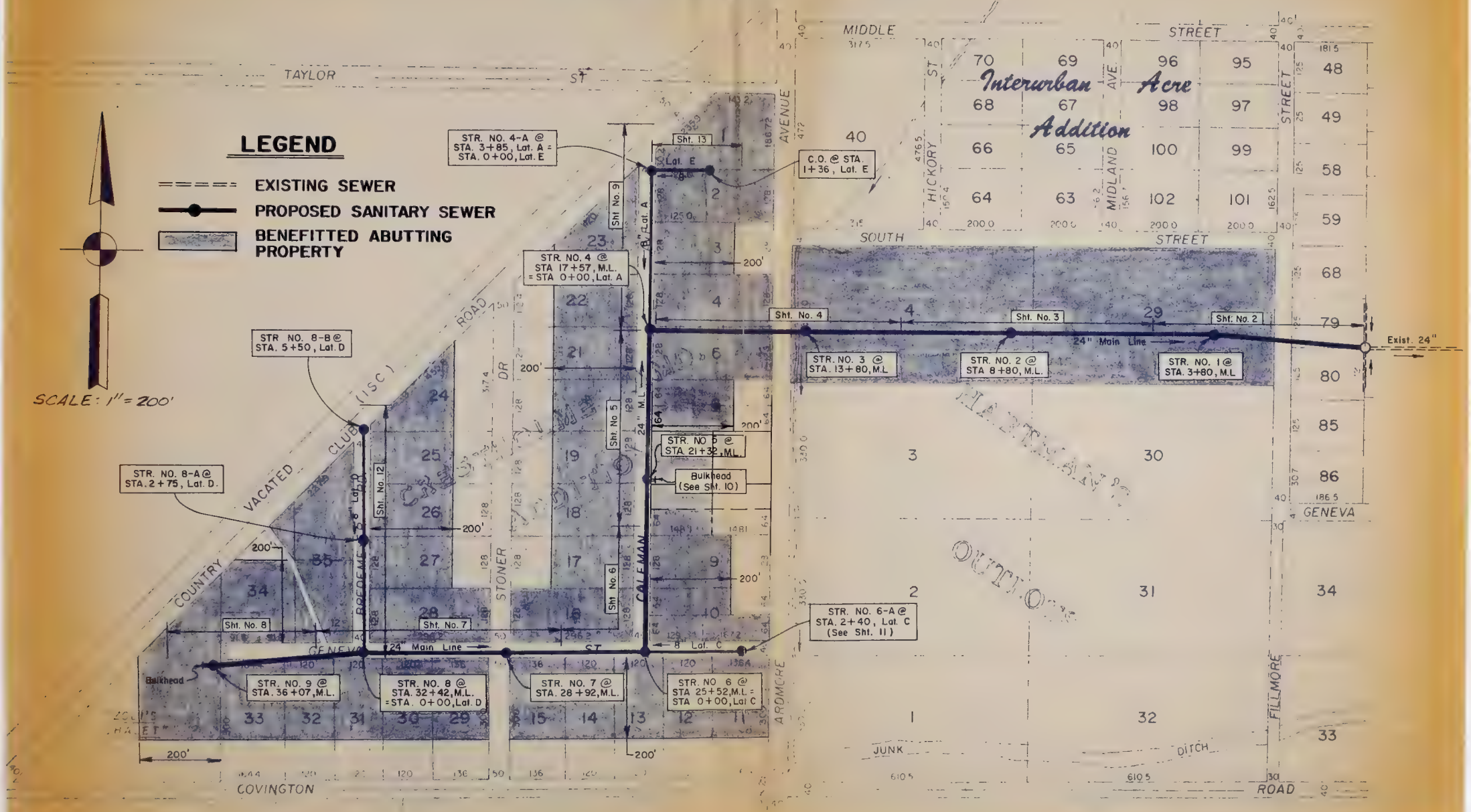

LEGEND
EXISTING SEWER
PROPOSED SANITARY SEWER
BENEFITTED ABUTTING PROPERTY
SCALE: 1" = 200'
TAYLOR ST
MIDDLE AVENUE
SOUTH STREET
Interurban Acre Addition
HICKORY ST
MIDLAND AVE
STREET
STR. NO. 4-A @ STA. 3+85, Lat. A = STA. 0+00, Lat. E
C.O. @ STA. 1+36, Lat. E
STR. NO. 4 @ STA 17+57, M.L. = STA 0+00, Lat. A
STR. NO. 8-B @ STA. 5+50, Lat. D
STR. NO. 8-A @ STA. 2+75, Lat. D.
STR. NO. 5 @ STA 21+32, M.L.
Bulkhead (See Sht. 10)
STR. NO. 6-A @ STA. 2+40, Lat. C (See Sht. 11)
STR. NO. 9 @ STA. 36+07, M.L.
STR. NO. 8 @ STA. 32+42, M.L. = STA. 0+00, Lat. D
STR. NO. 7 @ STA. 28+92, M.L.
STR. NO 6 @ STA 25+52, M.L. = STA 0+00, Lat C
STR. NO. 3 @ STA. 13+80, M.L.
STR. NO. 2 @ STA 8+80, M.L.
STR. NO. 1 @ STA. 3+80, M.L.
24" Main Line
Exist. 24"
Sht. No. 1
Sht. No. 2
Sht. No. 3
Sht. No. 4
Sht. No. 5
Sht. No. 6
Sht. No. 7
Sht. No. 8
Sht. No. 9
Sht. No. 12
Sht. 13
VACATED COUNTRY CLUB (ISC) ROAD
BOEDEKER DR
STONER
CALEMAN
AROMCHE
FILLMORE
GENEVA ST
COVINGTON ROAD
JUNK DITCH
OUTLOT
200'

EXHIBIT
-B-
STUDY AREA
E. W. LINE LAGRO RESERVE
RAILROAD
ILLINOIS ROAD
JEFFERSON BLVD
ROCKHILL PARK
PARK LINE RES
TAYLOR ST
MIDDLE ST
ONTARIO ST
COVINGTON ROAD
NUTTMAN AVE
FREEMAN ST
ARDMORE
KNOLL ROAD
SAND POINT RD
ELMHURST
ENGLE
SANDHILL
LAND DR
SOUTH CEDAR CREST CR
WENDOVER RD
THREE OAKS DR
WILLOW OAKS DR
KELMAR DR
MASON DRIVE PROP.
FORT WAYNE COUNTRY CLUB
FOREST AIDE (PRIVATE)
INDIAN VILLAGE SCHOOL
ELMHURST HIGH SCHOOL
MEKEONGA JUNIOR HIGH SCHOOL
NORFOLK & WESTERN RAILWAY
WESTERN RAILWAY
ODT
2½ MILES
4 MILES

67-40-7 H.I. 2/5/79

NON-EXCLUSIVE FRANCHISE

FOR CABLE COMMUNICATIONS SYSTEM

TO

CITIZENS CABLE OF ALLEN COUNTY, INC.

WHEREAS, the City of Fort Wayne has previously adopted General Ordinance No. G-27-77 providing for the establishment of a cable communications system in the City of Fort Wayne, which existing ordinance is incorporated herein by reference, and which ordinance became effective on July 26, 1977; and

WHEREAS, prior to January 1, 1976, Citizens Cable of Allen County, Inc. has constructed cable television facilities and a cable television system, and was furnishing cable television service, to the areas known as Canterbury Green and Shoaff Park River Estates being bounded on the East by St. Joseph River, and on the South by the Indiana-Purdue University of Fort Wayne; and

WHEREAS, on January 1, 1976, the said areas described above were annexed to the City of Fort Wayne, and Citizens Cable of Allen County, Inc. has continued to provide cable television service to said areas and now seeks to obtain a non-exclusive franchise under and pursuant to General Ordinance No. G-27-77, to permit it to continue to furnish such service to the area; and

WHEREAS, the existing cable system of Citizens Cable of Allen County, Inc. surrounds the area in the City known as the Fort Wayne State School and the area bounded by St. Joe Center Road, Evard Road and St. Joe Road, and Citizens Cable of Allen County, Inc. is willing to serve these areas; and

WHEREAS, Citizens Cable of Allen County, Inc. now seeks a non-exclusive franchise under Ordinance G-27-77, to serve said areas; and

WHEREAS, Citizens Cable of Fort Wayne, Inc., the franchisee under Ordinance G-27-77, has consented to the granting of the franchises sought by Citizens Cable of Allen County, Inc.

NOW, THEREFORE, THE BOARD OF PUBLIC WORKS hereby grants a non-exclusive franchise to Citizens Cable of Allen County, Inc. to provide cable television service utilizing its facilities and system to the areas known as Canterbury Green and Shoaff Park River Estates, being bounded on the East by St. Joe Road, on the North by Shoaff Park,

on the West by St. Joseph River, and on the South by Indiana-Purdue University of Fort Wayne, and to the Fort Wayne State School and to the areas bounded by St. Joe Center Road, Reed Road, Evard Road and St. Joe Road, all of which areas are so delineated on a Section Map of Allen County which is attached to General Ordinance No. G-03-79 as "EXHIBIT A" and which is incorporated herein by reference, which franchise shall be subject to the applicable terms and conditions of General Ordinance No. G-27-77 (an Ordinance providing for the establishment of a cable communications system in the City of Fort Wayne), all as set out in General Ordinance No. G-03-79.

The initial rate structure to be charged by Citizens Cable of Fort Wayne, Ind. to its customers in the franchise area shall be as set forth on the "Rate Structure-Citizens Cable of Allen County, Indiana, Inc." which is attached to General Ordinance No. G-03-79 as "EXHIBIT B" and which is incorporated herein by reference, provided that rates charged to customers in the Fort Wayne State School area and in the area bounded by St. Joe Center Road, Reed Road, Evard Road and St. Joe Road shall conform to rates charged by Citizens Cable of Fort Wayne, Inc. to its customers within the City of Fort Wayne.

The franchise granted hereby is limited to the areas above described and shall not be construed to encompass any other part of the City of Fort Wayne. It is recognized that Citizens Cable of Allen County, Inc. also serves subscribers located outside the franchised area, and outside the limits of the City of Fort Wayne, and payments to be made to the City under Article VIII (Rates and Franchise Payments) of General Ordinance No. G-27-77 shall be based only upon Citizens Cable of Allen County, Inc. receipts from its customers within the area franchised hereby. Because this franchise is limited to a relatively small area, the following portions of General Ordinance No. G-27-77 shall not apply: III E; V A (3); V D (2) so long as Citizens Cable of Allen County, Inc. maintains its present office and telephone listing in the City of New Haven, Indiana; VF: VII N: XI; and XIV.

Franchisee shall maintain, and by its acceptance of this franchise specifically agree that it will maintain throughout the term of this franchise, a faithful performance bond running to the City, with a good and sufficient surety approved by the City in the penal sum of Twenty Thousand Dollars ($20,000.00) conditioned that the Franchisee

shall well and truly observe, fulfill and perform each term and condition of this franchise and that in case of any breach, the City shall be entitled to recover from the principal and sureties thereof the amount of all damages including all cost and attorneys fees incurred by the City, proximately resulting from the failure of the Franchisee to well and faithfully observe and perform any and all of the provisions of this franchise.

The bond shall contain a provision that it shall not be terminated or otherwise allowed to expire prior to thirty (30) days after written notice to that effect is given to the City and the Franchisee herein.

The bond shall be in a form satisfactory to the City Attorney and a duplicate copy of it, along with written evidence of payment of the required premium shall be filed with the Board of Public Works during the term of this franchise.

This franchise shall take effect from and after the passage of General Ordinance No. G-03-79 and approval by the Mayor, and after Citizens Cable of Allen County, Inc. shall file its written acceptance of same and its agreement to be bound by and comply with all of the applicable requirements of General Ordinance No. G-27-77.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry P. Wehrenberg
HENRY P. WEHRENBERG, CHAIRMAN

Ethel H. LaMar
ETHEL H. LaMAR, MEMBER

Max G Scott
MAX G SCOTT, MEMBER

ATTEST:

Ursula Miller
URSULA MILLER, EXECUTIVE SECRETARY
& CLERK TO BOARD

Approved as to form and legality this
____ day of _____, 1979.

William N. Salin
WILLIAM N. SALIN, CITY ATTORNEY

citizens cable
OF FORT WAYNE, INC.
3205 North Wells Street
Fort Wayne, Indiana 46808
219-424-8409

Citizens Cable of Allen County, Inc.
Citizens Cable of Fort Wayne, Inc.

Letter of Understanding
Canterbury Green Areas

As we at Citizens Cable of Fort Wayne, Inc. understand; Citizens Cable of Allen County, Inc. is approaching the City of Fort Wayne for a franchise in the Canterbury Green areas of the City presently receiving County cable television service. What we term as the Canterbury Green areas are: Canterbury Green; New Fort Wayne State School; Schoaff Park River Estates; and the area bordered by St. Joe Center Rd., St. Joe Rd., Evard Rd., and Reed Rd. In other words, the City of Fort Wayne area north of Stellhorn Rd. and east of the St. Joseph River. (Map of the Canterbury Green areas attached.)

In all the Canterbury Green areas, the County system does have partial service and can quickly, easily, and completely cable television service the remaining portion of the areas.

To confirm our verbal agreement; Citizens Cable of Fort Wayne, Inc. understands that Citizens Cable of Allen County, Inc. intends to complete cable television system construction to service all the units and potential development in the Canterbury Green areas. Citizens Cable of Allen County, Inc. agrees to: (1) obtain the franchise for the Canterbury Green areas; (2) provide cable television service to those existing units within the Canterbury Green areas prior to Citizens Cable of Fort Wayne, Inc. serving any subscribers in the Fort Wayne area; and (3) provide cable television service to any future units within the Canterbury Green areas. Citizens Cable of Fort Wayne, Inc. agrees not to: (1) hinder the expansion nor (2) overbuild cable television system in the Canterbury Green areas, provided the above conditions are achieved.

By signature below, it is agreed:

John Bonsib
President
Citizens Cable of Allen County, Inc.

Date: _____

John Brockman
General Manager
Citizens Cable of Fort Wayne, Inc.

Date: 11/21/78

A true copy:

John Bonsib

John Brockman 2/2/79

A SUBSIDIARY OF COX CABLE COMMUNICATIONS, INC.

67-33-13 H.I 1/29/79

SEWER EASEMENT RESOLUTION
NO. 165-1979
(Temporary & Permanent)

For the condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right of way line of Wilkie Drive; bounded on the East by the West right of way line of North Bend Drive; bounded on the West by the West line of Wilkie's Addition, Section B and its Northerly extension.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across through and under a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right of way line of Wilkie Drive; bounded on the East by the West right of way line of North Bend Drive; bounded on the West by the West line of Wilkie's Addition, Section B and its Northerly extension.

Inclusive, and more particularly described as follows:

Permanent Easement

1. The following permanent easement lies within Wilkie's Addition, Section B as recorded by Plat Book 22, Pages 16 and 17.

   A. The West 7 feet of lots #18 and 21.

   B. The East 7 feet of lots #19 and 20.

2. A permanent easement 20 feet in uniform width lying 10 feet on both sides of the below described center line lying within a tract of land now or formerly owned by Westmoor Park Community Association as recorded in Deed Book 610, Page 451.

   A. Commencing at a point 40.5 feet West of Southeast corner of above described tract of land, said point being also the Northwest corner of lot #18 of said Wilkie's Addition, Section B, thence Northeasterly 200.1 feet by an internal angle of 78° 00' turned from the South line of said tract of land to a point located 195.8 feet North of Southwest corner and on East line of said tract of land and there terminating.

Temporary Easement

1. The following temporary easement lies within said Wilkie's Addition, Section B. as recorded by Plat Book 22, Pages 16 and 17.

   A. The West 15 feet of the East 22 feet of lot #19.

   B. The West 10 feet of the East 17 feet of lot #20.

   C. The South 10 feet of the North 17 feet of the East 17 feet of lot #25.

   D. The South 10 feet of the North 17 feet of the East 65 feet of lot #24.

   E. The South 10 feet of the North 17 feet of lot #23.

   F. The North 10 feet of the South 17 feet of lots #21 and 22.

   G. The South 15 feet of the North 29 feet of lots #17 and 18.

   H. The East 10 feet of the West 17 feet of the North 90 feet of lot #18.

2. The following temporary easement lies within Wilkie's Addition, Section A, as recorded by Plat Book 20, Page 62.

   A. The North 15 feet of the South 22 feet of lots #9, 10 and 11.

   B. The South 15 feet of the North 29 feet of lots #14, 15 and 16.

   C. The East 15 feet of the West 22 feet of lots #4 and 6.

   D. The East 15 feet of the West 22 feet of the South 50 feet of lot #5.

   E. The East 15 feet of the West 22 feet of the North 50 Feet of lot #3.

   F. The West 10 feet of the East 17 feet of the South 140 feet of lot #9.

   G. The West 10 feet of the East 17 feet of the North 30 feet of lot #9.

   H. The West 15 feet of the East 22 feet of lot #12.

   I. The East 10 feet of the West 17 feet of lot #2.

   J. The South 10 feet of the North 17 feet of the West 50 feet of lot #8.

   K. The East 10 feet of the West 17 feet of the South 40 feet of lot #1.

3. A triangular shaped temporary easement lying within a tract of land now or formerly owned by Westmoor Park Community Association as recorded in Deed Book 610, Page 451.

   A. Commencing at the Southeast corner of above described tract of land; thence West along the South line of said tract of land 30.3 feet to a point 10.2 feet East of the Northwest corner of lot #18 of said Wilkie's Addition, Section B; thence Northeasterly 149.6 feet by an internal angle of 78° 00' turned from the South line of said tract of land to a point located 146.3 feet North of Southeast corner and on the East line of said tract of land; thence 146.3 feet South along the East line of said tract of land to said point of beginning.

All according to the method and manner provided for in I.C. 18-1-1.5-5 and 14 and I.C. 18-1-7-1 to 11 and the provisions of all acts amendatory thereto and supplemental thereof, including the right of bond assessments as in said law ordered.

Assessments, if deferred, are to be paid in ten (10) equal installments with interest at the rate of six (6) percent per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such monies as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

All land affected by the above described condemnation is situated within the Southwest quarter of Section 7, Township 30 North, Range 12 East. All as shown on the attached drawing.

The Temporary Sewer Easement shall expire one year from the date of adoption.

ADOPTED THIS 29 DAY OF January 1979.

BOARD OF PUBLIC WORKS

HENRY P. WEHRENBERG, CHAIRMAN

Ethel W. LaMar
ETHEL H. LAMAR, MEMBER

Max G. Scott
MAX G. SCOTT, MEMBER

ATTEST:

Ursula Miller
URSULA MILLER, CLERK

REFERENCE RESOLUTION NO. 877 -1979

Prepared by Philip R. Boller

67-33-12 H.I 1/29/79

93

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 877, 19 79

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered in and along Beginning at an existing manhole on an existing 18 inch sanitary sewer located 6± L.F. East and 15± L.F. South of the Northwest corner of Lot #11 of Westmoor Extended Addition; as recorded in Plat Book 22, Pages 156-158, thence Southeasterly 240± L.F. to proposed manhole #1, located 9± L.F. South and 3± L.F. West of the Northwest corner of Lot #18 of Wilkie's Addition, Section B; as recorded in Plat Book 22, Pages 16 and 17; thence Southerly 215± L.F. to proposed manhole #2, located 14± L.F. North and 1± L.F. West of Northwest corner of Lot #21 of said Wilkie's Addition, Section B; thence Southerly 215± L.F. to proposed manhole #3, located 5± L.F. North and 2.5± L.F. West of Northwest corner of Lot #24 of said Wilkie's Addition; Section B, thence Easterly 253± L.F. to proposed manhole #4, located 9± L.F. East and 2± L.F. North of Southwest corner of Lot #10 of Wilkie's Addition, Section A; as recorded in Plat Book 20, Page 62; thence Southeasterly 109± L.F. to proposed manhole #5, located 5± L.F. North and 1± L.F. West of Southeast corner of Lot #9 of said Wilkie's Addition, Section A; thence Northeasterly 347± L.F. to proposed manhole #6, located 4± L.F. North and 3± L.F. East of Northwest corner of Lot #2 of said Wilkie's Addition, Section A, and there terminating.

Lateral "A"
Beginning at said proposed manhole #1; thence Easterly 220± L.F. to proposed manhole #7, located 6± L.F. South and 60± L.F. East of Northeast corner of Lot #16 of said Wilkie's Addition; Section A thence Easterly 167± L.F. to proposed clean-out #2, located 10± L.F. East and 5± L.F. South of Northwest corner of Lot #14 of said Wilkie's Addition, Section A, and there terminating.

Lateral "B"
Beginning at said proposed manhole #5; thence Southwesterly 49± L.F. to proposed cleanout #1, located 3± L.F. South and 3± L.F. West of Northwest corner of Lot #6 of said Wilkie's Addition, Section A, and there terminating. Said sanitary sewer to be 8 inches in diameter.

Subject to area connection fees of $150.00 per acre due Diversified Utilities and $500.00 per acre due City of Fort Wayne via Res. #62-267-18.

in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders whose property abuts thereon, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 29 *day of* January 19 79

BOARD OF PUBLIC WORKS:

Edward D. Lamar

Mary G. Scott

ATTEST:

Ursula Miller

Secretary and Clerk

67-27-6 H.I. 1/24/79

SEWER EASEMENT RESOLUTION NO. 163-78

PERMANENT AND TEMPORARY

For the condemnation of Permanent and Temporary Sewer Easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Northeast Quarter of Section 35, Township 30 North, Range 12 East and the North Half of Section 36, Township 30 North, Range 12 East, bounded on the North by a line 140± ft. North of and parallel to the East-West Centerline of the North Half of Section 36, Township 30 North, Range 12 East and its Westerly extension, bounded on the East by a line 100± feet East of and parallel to the North-South Centerline of said Section 36, Township 30 North, Range 12 East, bounded on the south by a line 800± feet South of and parallel to the East-West Centerline of said Northwest Quarter Section 36 and its Westerly extension, bounded on the West by the Saint Mary's River.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for Permanent and Temporary Sewer Easement purposes to construct, operate, control and maintain a sewer line along and across a portion of the Northeast Quarter of Section 35, Township 30 North, Range 12 East, and the North Half of Section 36, Township 30 North, Range 12 East, bounded on the North by a line 140± feet North of and parallel to the East-West Centerline of the North Half of Section 36, Township 30 North, Range 12 East and its Westerly extension, bounded on the East by a line 100± feet East of and parallel to the North-South Centerline of said Section 36, Township 30 North, Range 12 East bounded on the South by a line 800± feet South of and parallel to the aforementioned East-West Centerline of said Northwest Quarter Section 36 and its Westerly extension, bounded on the West by the Saint Mary's River; more particularly described as follows:

PERMANENT EASEMENT:

1. A 25 foot in uniform width Permanent Easement on space now or formerly owned by Wilber M. and M. E. Knipstein as recorded by Instrument 76-27766 and Instrument 76-27767, and on space now or formerly owned by the City of Fort Wayne as recorded by Instrument 69-20363, and on space now or formerly owned by Thomas J. and Cynthia J. Shank as recorded by Instrument 77-9450, and on space now or formerly owned by Bryan E. and Carol D. Todd as recorded by Instrument 77-13055; the centerline of which is described as follows: Beginning at a point on the West property line of space now or formerly owned by Wilber M. and M. E. Knipstein as recorded by Instrument 76-27766 and Instrument 76-27767; 5.5 feet South of the Northwest corner of said space; thence Easterly a distance of 1375 feet to a point located 228 feet South of and 196 feet West of the Northwest corner of space now or formerly owned by Martin R. and Cheryl L. Erickson as recorded by Instrument 78-10107; thence Southeasterly a distance of 243 feet to a point located 420 feet North of and 36 feet West of the Southwest corner of space now or formerly owned by Thomas J. and Cynthia J. Shank as recorded by Instrument 77-9450; thence Easterly a distance of 551 feet terminating at a point on the East property line of space now or formerly owned by Bryan E. and Carol S. Todd as recorded by Instrument 77-13055; said point being located 100 feet South of the Northeast corner of said space.

2. The North 500 feet of the West 40 feet of space now or formerly owned by H. W. and E. M. Poehler as recorded in Deed Book 354, Page 164.

3. The South 25 feet of the West 40 feet of space now or formerly owned by C. S. and L. M. Loudenslager as recorded in Deed Book 427, Pages 437-439.

4. A 20 foot in uniform width Permanent Easement on space now or formerly owned by H. W. and E. M. Poehler as recorded in Deed Book 354, page 164, and space now or formerly owned by Southdown Realty Co. as recorded in Deed Book 697, pages 17-19; the centerline of which is described as follows:

Commencing at an iron pin located at the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East; thence North 1°34' West a distance of 876.65 feet to the true point of beginning of said permament easement; thence South 77°37' East a distance of 28.5'; thence South 69°03' East, a distance of 301.8'; thence South 86°31' East a distance of 493.25'; thence South 88°96' East, a distance of 607,8' to an existing manhole, this being the point of termination of said Permanent Easement.

TEMPORARY EASEMENT:

A. A Temporary Easement 10 feet in uniform width lying North of and adjacent to and South of and adjacent to aforementioned Permanent Easement within paragraph one.

B. A 10 feet in uniform width Temporary Easement lying immediately South of and adjacent to and East of and adjacent to the aforementioned Permanent Easement within paragraph two.

C. A 10 feet in uniform width Temporary Easement lying immediately North of and adjacent to and East of and adjacent to the aforementioned Permanent Easement within paragraph three.

D. A 20 feet in uniform width Temporary Easement lying immediately North of and adjacent to and South of and adjacent to the aforedescribed Permanent Easement within paragraph four.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana as approved in 1967; more particularly I.C. 18--1-1.5-5 and 14, and I.C. 18-1-7-1 to 11 and the provisions of all acts amendatory thereto and supplemental thereof.

All land affected lies within part of the Northeast Quarter of Section 35, Township 30 North, Range 12 East, and the North Half of Section 36, Township 30 North, Range 12 East.

The temporary sewer easements shall expire one year from the date of adoption.

ADOPTED THIS 24th DAY OF January, 1979.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott, Member

Attest:

Ursula Miller, Clerk

Reference Sewer Improvement Resolution No. 305-78.
Prepared by Philip R. Boller.

67-27-5 H.I. 1/24/79

SEWER RESOLUTION NO. 305-78

TILLMAN PARK - SOUTHTOWN MALL PUMP

STATION ELIMINATION SANITARY SEWER

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that the construction of a sanitary interceptor sewer which, from its size and character, is not only intended for use by the abutting property owners, but for the use of the general public of said sewer line, be and the same as hereby ordered.

LINE A:

Beginning at an existing manhole located 10± L.F. South of and 25± L.F. East of the Southwest corner of space now or formerly owned by the City of Fort Wayne, Indiana, as recorded by Instrument No. 69-20363, more commonly known as Tillman Park; thence extending generally Easterly on a meandering line a distance of 2200± L.F. terminating at a proposed manhole located 1780± L.F. South of and 28± L.F. East of the intersection of the centerlines of Hanna Street and Tillman Road.

LINE B:

Beginning at a proposed manhole located 1780± L.F. South of and 28 L.F. East of the intersection of the centerlines of Hanna Street and Tillman Road; thence extending generally Northerly a distance of 480± L.F. to a proposed manhole located 15± L.F. North of and 50± L.F. East of the Southeast corner of space now or formerly owned by the City of Fort Wayne, Indiana, as recorded by Instrument No. 69-20363, more commonly known as Tillman Park; thence Westerly a distance of 445± L.F. terminating at a proposed manhole located 15± L.F. North of and 395± L.F. West of the aforementioned Southwest corner of said Tillman Park.

LINE C:

Beginning at a proposed manhole located 1780± L.F. South of and 28± L.F. East of the intersection of the centerlines of Hanna Street and Tillman Road; thence extending generally Easterly a distance of 1400± L.F. terminating at an existing manhole located 20± L.F. North of and 80± L.F. East of the Southwest corner of space now or formerly owned by Southtown Realty Company as recorded in Deed Book 697, pages 17-19, more commonly known as Southtown Mall.

Said Sewer shall be 8" and 24" in diameter, with all appurtenances to be constructed in accordance with plans, profiles, and special details and specifications now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana, and shall be used for sanitary purposes only.

All work done in the making of the aforementioned public improvement shall be in accordance with the terms and conditions of the resolution aforementioned and the plans, profiles, special details, and specifications now on file in the Office of the Board of Public Works of said City.

It is hereby found by said Board of Public Works that the cost of said improvement shall be paid by the City of Fort Wayne, Indiana, out of monies from the Sewer Utility fund by authority of I.C. 19-2-7-1. It is further found by said Board of Public Works that the abutting property owners shall pay a tap-in fee at the time of connection to said sanitary sewer. It is further found by said Board of Public Works that in the event any present or future owner of any property located West of South Anthony Blvd. as delineated by Exhibit B and recorded by 71-05984 who shall desire to use said sanitary lines discharging into said sanitary sewer shall be benefitted and shall pay an area connection fee of four hundred forty-two and seventy-three hundredths dollars ($442.73) per acre in addition to the aforementioned tap-in fee in order that the City of Fort Wayne may recoup funds spent for the installation of the Saint Mary's Interceptor Sewer, Resolution #214.

It is further found by said Board of Public Works that in the event any present or future owner of any property located East of South Anthony Blvd. who shall desire to use said sanitary lines discharging into said sanitary sewer, shall be benefitted and shall pay an area connection fee for this same Resolution 305-78 that will be determined.

Pursuant to I.C. 19-2-7-16, any and all property owners owning property outside the corporate limits of the City of Fort Wayne utilizing the sanitary sewer constructed by authority of this resolution does release his, her, or their right to remonstrate against pending or future annexation by the City of Fort Wayne.

ADOPTED THIS 24th DAY OF January 1978

Board of Public Works

Henry P. Wehrenberg, Chairman

Ethel W. LaMar

Ethel LaMar, Member

Max G. Scott

Max G. Scott, Member

Attest:

Ursula Miller

Ursula Miller, Clerk

Prepared by: Philip R. Boller

PRB/DE/jt

96

67-25-18 H.I
1/22/79

STREET LIGHTING RESOLUTION NO. 136-79
Northwest Central Phase III Neighborhood
Impact Area

Resolved by the Board of Public Works, of the City of Fort Wayne, Indiana, that it is deemed necessary to light the Northwest Central Neighborhood Phase III Impact Area, more specifically defined as Huffman Street from Sherman Boulevard to Wells Street, Putnam Street from Sherman Boulevard to Wells Street, Andrew Street from Spring Street to Putnam Street, Meridian Street from Huffman Street to Putnam Street, Hensch Street from Huffman Street to Putnam Street, Short Street from Huffman Street to Putnam Street, and Cortland Avenue from its Southern terminus to Putnam Street, all in accordance with the detailed drawings and specifications on file in the office of the Department of Public Works of said City; and such lighting is now ordered.

The total cost of said lighting shall be paid with monies from the Community Development Block Grant as provided for in Title I of the 1974 Housing and Community Development Act.

Adopted this 22 day of January 1979.

Board of Public Works

Henry P. Wehrenberg

Estal D. LaMar

Mary G. Scott

Attest:

Ursula Mills

Clerk

1

67-24-8 H.I. 1/22/79

AGREEMENT

THIS AGREEMENT, made and entered into this 10th day of January 1979, by and between the State of Indiana, acting by and through the Indiana State Highway Commission, hereinafter referred to as the "STATE", and the City of Fort Wayne City, Indiana, acting by and through the Board of Public Works of the City of Fort Wayne City, hereinafter referred to as the "CITY".

WITNESSETH

WHEREAS, through the cooperation of the CITY, the STATE and the Federal Highway Administration, the following project in Fort Wayne has been approved by the Federal Highway Administration, namely Project No.M-F024(1), providing for the development of an urban arterial using the Ardmore - Hillegas Street Corridor, and

WHEREAS, the CITY desires to participate in the preliminary engineering on this project using Federal-aid funds allocated and made available to the STATE, and

WHEREAS, the STATE is willing for the CITY to participate in the preliminary engineering on this project, subject to approval of the Federal Highway Administration.

NOW THEREFORE, in consideration of the mutual covenants, herein contained, the parties hereto mutually covenant and agree as follows:

1. The CITY will comply with the applicable conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the regulations issued pursuant thereto, and (3) the policies and procedures promulgated by the STATE and Federal Highway Administration relative to the project.
2. The CITY may at its discretion engage a competent and qualified consultant to perform the preliminary engineering for the CITY.

The CITY'S procedures for selection of consultants will be in accordance with applicable Federal Highway Administration requirements and Indiana State Highway Commission guidelines. Further, proposed agreements will be submitted for Indiana State Highway Commission and Federal Highway Administration approval prior to execution.

3. All work performed under this Agreement will be subject to review and approval of the Indiana State Highway Commission and the Federal Highway Administration.

4. In the event that acquisition of additional right of way is required for this project the CITY agrees to comply with right of way acquisition and relocation policies and procedures as follows:

   (a) If right of way costs are to be programmed for Federal-aid the CITY agrees to comply with all Federal and State laws, rules, and regulations including Volume 7 of the Federal-Aid Highway Program Manual and PL 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (84 Stat. 1894).

   (b) If right of way costs are not to be programmed for Federal-aid the CITY agrees to comply with (1) All State rules and regulations, (2) Title III of PL 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (84 Stat. 1894) in the acquisition of right of way, and (3) Title II of said Act and Volume 7, Chapter 5 of the Federal-Aid Highway Program Manual in the relocation of individuals, families, businesses, farm operations, etc., if any are involved.

5. The CITY'S share of the cost for preliminary engineering will be the total amount of the entire cost incurred by the CITY less the amount contributed by the Federal government through Federal-aid. The Federal share of all eligible costs is 70%, or such other amount as may be allowed and provided by law.

   If for any reason the STATE is required to repay to the Federal Highway Administration the sum or sums of Federal funds paid to the CITY through the STATE under the terms of this Agreement, then the CITY will repay to the STATE such sum or sums upon receipt of a billing from the STATE.

   Payment for any and all costs incurred by the CITY which are not eligible for Federal funding will be the sole obligation of the CITY.

6. The CITY will receive payment of the Federal contribution, through Federal-aid, for the eligible costs incurred under this Agreement as follows:

   a. The CITY will submit invoices to the STATE not more often than once per month during the progress of the work, for payment on account for the work completed during the period in question.

   b. When submitting invoices for design costs for projects which were designed by a Consultant the CITY will certify by its responsible officer and/or Engineer that those costs represented by the subject billing represent design work physically completed by the consultant. The submission shall be accompanied by a copy of the consultant's invoice for completed work.

   c. When submitting invoices for Right of Way projects the CITY will furnish evidence showing that the CITY has made payment for all costs for which reimbursement is being invoiced.

d. Upon approval of invoices by the STATE, the STATE will request Federal-aid funds from the Federal Highway Administration for the amount of the subject invoice claim.

e. Upon receipt of Federal-aid funds, the STATE will make payment to the CITY, less 10% which will be retained until final payment.

f. Prior to final payment pursuant to this contract, a final audit of the CITY records will be made by the STATE, and upon approval thereof by the STATE, then final payment will be made in accordance with the procedure set out above.

Obligation of Federal-aid funds extends only to project costs incurred by the CITY after the Indiana State Highway Commission authorization to proceed with the project.

7. The CITY and its subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times during the contract period and for three years from the date of final payment by the Federal Highway Administration to the CITY thru the STATE under the contract, for inspection by the STATE, Federal Highway Administration or any other authorized representatives of the Federal Government and copies thereof shall be furnished if requested.

8. The CITY agrees to hold harmless and indemnify the State of Indiana, the Indiana State Highway Commission and the Federal Highway Administration from any and all liability for any act or omission committed, suffered to be committed, or omitted to be done, by any office, agent, employee, servant or contractor of the CITY under this agreement.

9. Insofar as authorized by law, this Agreement shall be binding upon the parties hereto their successors or assigns.

IN TESTIMONY WHEREOF, the parties hereto have executed this agreement.

THE CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

By Robert E. Armstrong
Robert E. Armstrong

By Henry F. Wehrenberg
Henry F. Wehrenberg

By Ethel H. LaMar
Ethel H. Lamar

By Max G. Scott
Max G. Scott

THE STATE OF INDIANA

THE INDIANA STATE HIGHWAY COMMISSION

By Roger F. Marsh
Executive Director
Roger F. Marsh

Attest:

Secretary to the Commission
J. N. Smitherman

APPROVED AS TO LEGALITY AND FORM

0 1979 Theodore L. Sendak
Theodore L. Sendak
Attorney General

Attest:

Ursula Miller
Ursula Miller

This instrument is prepared by

D. O. Epp
Engineer of Consulting Services

ACKNOWLEDGMENT

State of INDIANA County of ALLEN, SS:

Before me, the undersigned Notary Public in and for said County personally appeared ROBERT E. ARMSTRONG, Mayor; HENRY P. WEHRENBERG, Chairman; ETHEL H. LAMAR, Member; MAX G SCOTT, Member and URSULA MILLER, Clerk of Board of Works
Name of signers, their official capacity and agency name

and each acknowledged the execution of the foregoing agreement on this 25th day of September, 1978.

Witness my hand and seal the said last named date.

My Commission Expires

March 6, 1980

Anne J. Fox
Notary Public ANNE J. FOX
Resident of Allen County, Indiana

ACKNOWLEDGMENT

State of Indiana, County of Marion, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Roger T. Marsh, Executive Director of the Indiana State Highway Commission and acknowledged the execution of the foregoing agreement on this 26th day of December, 1978.

Witness my hand and seal the said last named date.

My Commission Expires

April 8, 1979
Blanche M. Morgan Co.

Debra Anne Myrick
Notary Public
Debra Anne Myrick

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION
100 North Senate Avenue
Indianapolis, Indiana 46204

INDIANAPOLIS
Room 1101, State Office Building
317-633-5816

January 12, 1979

Mr. Henry P. Wehrenberg, Chairman
Fort Wayne Board of Public Works
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Subject: City-State Agreement
Planning Study
Ardmore - Hillegas Corridor
Project: M-F024(1)

Dear Mr. Wehrenberg:

Attached for your records is an original signed copy of a fully executed agreement, dated January 10, 1979, between the Indiana State Highway Commission and the City concerning cooperation in the preliminary engineering phase of the work on the subject project.

You may proceed with the work covered by this agreement.

Approval of your agreement with Clyde E. Williams & Assoc., Inc., and notification that you may authorize them to proceed with the work, will be given by separate letter.

Very truly yours,

Roger F. Marsh

Roger F. Marsh
Executive Director

RFM:DOE:sl
Agreements *
cc: Mr. Hallock
* Mr. Smitherman
* Mr. Bell
* Mr. Ames
* Mr. Payne (Attn: Mr.Bender)
* Mr. Belter
* File

67-24-8 1/22/79

96 98

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

67-16-3 1/11/79
H.I.

Mail tax bills to:

WARRANTY DEED

This indenture witnesseth that CITY OF FORT WAYNE

of Allen *County in the State of* Indiana

Convey and warrant to JAMES H. BOWMAN

of Allen *County in the State of* Indiana

for and in consideration of One dollar and other valuable considerations *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

The East 1/2 of Lot Numbered 63 in Lasselle's Addition to Lasselleville, now in the City of Fort Wayne, Allen County, in the State of Indiana, (known as 421 East DeWald Street)

Subject to (1) easements, rights-of-way, and restrictions of public record; (2) lien of taxes due and payable in November, 1978, and all subsequent taxes; (3) restrictions in zoning ordinances; and (4) lien of all special assessments, if any.

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 11 *day of* JANUARY 19 79 *personally appeared:*

Robert E. Armstrong, Mayor
City of Fort Wayne

Charles W. Westerman, City Clerk
City of Fort Wayne

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires MARCH 6 19 80

Anne J. Fox
ANNE J. FOX *Notary Public*

Resident of ALLEN *County*

Dated this 11 **Day of** JANUARY **19** 79

Robert E. Armstrong *Seal*
Robert E. Armstrong, Mayor
City of Fort Wayne

Seal

Charles W. Westerman *Seal*
Charles W. Westerman, City Clerk
City of Fort Wayne

Seal

Seal

Seal

This instrument prepared by Larry J. Burke *Attorney at Law*

MAIL TO:

COPYRIGHT THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

H.I

67-16-2 1/11/79

QUIT-CLAIM DEED

This indenture witnesseth that CITY OF FORT WAYNE

of Allen *County in the State of* Indiana

Releases and quit claims to PHILLIP H. LOVE

of Allen *County in the State of* Indiana
for and in consideration of One Dollar and other valuable considerations
the receipt whereof is hereby acknowledged, the following Real Estate in Allen *County*
in the State of Indiana, to wit:

East 1/2 Lot 212 Eliza Hanna Sr. Addition

Commonly known as 1342 Hayden Street

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 11 *day of* JANUARY *1979 personally appeared:*

Robert E. Armstrong, Mayor
City of Fort Wayne

Charles W. Westerman, City Clerk
City of Fort Wayne

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires MARCH 6 *19* 80

Anne J. Fox
ANNE J. FOX *Notary Public*
RESIDENT OF ALLEN COUNTY

Dated this 11 **Day of** JANUARY **19**79

Robert E. Armstrong *Seal*
Robert E. Armstrong, Mayor
City of Fort Wayne

Seal

Charles W. Westerman *Seal*
Charles W. Westerman, City Clerk
City of Fort Wayne

Seal

Seal

Seal

This instrument prepared by Larry J. Burke, *Attorney at Law*

MAIL TO:

96 C 100

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

Mail tax bills to:

67-16-3 1/11/79 H.I

WARRANTY DEED

This indenture witnesseth that CITY OF FORT WAYNE

of Allen *County in the State of* Indiana

Convey and warrant to JAMES H. BOWMAN

of Allen *County in the State of* Indiana

for and in consideration of One dollar and other valuable considerations *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

The East 1/2 of Lot Numbered 63 in Lasselle's Addition to Lasselleville, now in the City of Fort Wayne, Allen County, in the State of Indiana, (known as 421 East DeWald Street)

Subject to (1) easements, rights-of-way, and restrictions of public record; (2) lien of taxes due and payable in November, 1978, and all subsequent taxes; (3) restrictions in zoning ordinances; and (4) lien of all special assessments, if any.

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 11 *day of* JANUARY *19* 79 *personally appeared:*

Robert E. Armstrong, Mayor
City of Fort Wayne

Charles W. Westerman, City Clerk
City of Fort Wayne

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires MARCH 6 *19* 80

ANNE J. FOX *Notary Public*

Resident of ALLEN *County.*

Dated this 11 **Day of** JANUARY **19** 79

Robert E. Armstrong *Seal*
Robert E. Armstrong, Mayor
City of Fort Wayne

Seal

Charles W. Westerman *Seal*
Charles W. Westerman, City Clerk
City of Fort Wayne

Seal

Seal

Seal

This instrument prepared by Larry J. Burke *Attorney at Law*

MAIL TO:

COPYRIGHT THE ALLEN COUNTY INDIANA BAR ASSOCIATION INC

67-13-4 1/10/79 H.I.

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

orig. to Appl. Engr. Instrument 1/10/79

QUIT-CLAIM DEED

Re: Res. 290-77 Maumee Interceptor

This indenture witnesseth that CITY OF FORT WAYNE, INDIANA

of Allen *County in the State of* Indiana

Releases and quit claims to THEODORE F. HAGERMAN and DOROTHY HAGERMAN, husband and wife; SAM W. FLETCHER and CHARLOTTE D. FLETCHER, husband and wife; FLOYD B. KELSEY, JR., and OLENE C. KELSEY, husband and wife; and WILLIAM O. HAGERMAN and JOAN H. HAGERMAN, husband and wife, all over the age of eighteen years,

of Allen *County in the State of* Indiana

for and in consideration of One Dollar and Other Good and Valuable Considerations *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

An easement 20 ft. in uniform width 10 ft. on each side of a continuous centerline described as follows:

Beginning at a point located 1829 ft. East of the West line and 3840.5 ft. South of the North line of Section 5, Township 30 North, Range 13 East, said point being on the West property line of the owners property as described in Deed Record Book 608, Page 174; thence Northeasterly at an angle of 75 degrees 30 minutes for a distance of 264.8 ft. to a point; thence at a deflection of 19 degrees 48 minutes to the right for a distance of 466.8 ft. to a point; thence Easterly to the East property line. Said point is 110 ft. West and 1150 ft. South of the Northeast corner of the Southeast Quarter of Section 5 as described in Recording Instrument No. 77-025322 in the Recorder's Office of Allen County, Indiana.

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 10 *day of* January 1979 *personally appeared:*

Robert E. Armstrong, Mayor
City of Fort Wayne, Indiana; and

Charles W. Westerman, City Clerk
City of Fort Wayne, Indiana

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires March 6, 1980

ANNE J. FOX *Notary Public*
Resident of Allen County

Dated this 10 **Day of** January 1979

Robert E. Armstrong *Seal*
Robert E. Armstrong, Mayor
City of Fort Wayne, Indiana *Seal*

Charles W. Westerman *Seal*
Charles W. Westerman, City Clerk
City of Fort Wayne, Indiana *Seal*

Seal

Seal

This instrument prepared by Larry J. Burke, *Attorney at Law*

MAIL TO:

79- 05719

67-11-16 H.I. 1/8/79

S-28-79 2/13/79

DULY ENTERED FOR TAXATION
MAR 5 1979
Gloria J. Gaeglein
AUDITOR OF ALLEN COUNTY

AGREEMENT FOR SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 8 day of January, 1979, by and between Shambaugh and Sons, Inc., an Indiana Corporation, hereinafter referred to as "OWNER AND DEVELOPER", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY".

WITNESSETH:

WHEREAS, the DEVELOPER desires to construct a sanitary sewer described as follows:

Sanitary Sewer

"Beginning at an existing Sanitary Sewer Manhole located 670±LF North of and 20± LF East of the centerline intersection of Moeller Road and Adams Center Road; thence, South along the East right-of-way line of said Adams Center Road 1200± LF terminating at a proposed manhole located 530± LF South of and 20± LF East of the centerline intersection of said Moeller Road and Adams Center Road."

79 MAR 5 P 2:03

Said sanitary sewer shall be 10 inches in diameter, in accordance with plans, specifications, and profiles heretofore submitted to the CITY and now on file in the Office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY and known as Moeller Road Trailer Park Offsite Sanitary Sewer, which plans, specifications and profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only lnad in which the DEVELOPER has an interest, but also adjoining land areas, as shown on Exhibit "A".

WHEREAS, the total cost of construction of said sewer is represented to be $ 23,814.00 which includes construction, engineering and City inspection fees. NOW THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said

INSTRUMENT M 43

sewer, in cash, and to hold the CITY harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will initially serve either all or a portion of the following described real estate of the DEVELOPER:

> Part of the East one-half of the Southeast quarter of Section 16, Township 30 North, Range 13 East, in Allen County, Indiana; being that part lying West of the East 635.5 feet thereof, and Northward of the channel centerline of the natural water course known as the Trier Ditch and Northward of the right-of-way of the Pennsylvania Railroad; EXCEPTING therefrom the West 60 feet thereof, held and occupied by the right-of-way of Indiana-Michigan Electric Company; containing 35.86 acres of land, more or less; SUBJECT to an Easement for public road purposes upon and over the East 25 feet thereof, contingent upon the like Easement to be imposed upon the West 25 Feet of the East 635.5 feet of said Tract initially mentioned; SUBJECT to an Easement upon and over an area circular in plan, having a radius of 85 feet centered at a point 695.5 feet West of the East line of the East one-half of the Southeast Quarter, Section 16, aforesaid and 2000.0 feet South of the North line of said Quarter Section; ALL in accordance with the map of the SUBJECT PREMISES being by metes and bounds described as follows, to-wit:
>
> Commencing on the North line of said Quarter Section at a point situated 60 feet East of the Northwest corner of the East one-half of the Southeast Quarter thereof; thence running South on a line parallel to the West line of the Tract aforesaid, a distance of 2578.3 feet, more or less, to the Northeasterly right-of-way line of the Pennsylvania Railroad as presently established on a line parallel to and 60 feet normally distant Northeastward of the east-bound Main Tract centerline; thence Sotheastward along the said right-of-way line, a distance of 126 feet, more or less, to its intersection by the South line of said Quarter Section; thence East on the line aforesaid a distance of 31 feet, more or less, to the left high bank of the said Trier Ditch channel at a point situated 50 feet as along the said South Quarter Section line measured Westward of the said ditch channel center; thence running Northeastward along the said ditch left high bank down-stream by a deflection left of 37 degrees 45 minutes, a distance of 166.8 feet; thence continuing along the said left high bank by a deflection right of 7 degrees 0 minutes, a distance of 235.9 feet; thence by a deflection left of 31 degrees 41 minutes, a distance of 306.7 feet; thence by a deflection left of 27 degrees 11 minutes, a distance of 2144.3 feet to the North line of said Quarter Section at a point situated 635.5 feet West of the East Quarter corner of said Section; thence West on the line aforesaid, a distance of 625.0 feet to the place of beginning; TOGETHER with the Area occupied by the left bank of said Trier Ditch between the high bank traverse line and the said ditch channel centerline, embracing therein 0.40 acres, more or less; containing 35.86 acres of land.

As the DEVELOPER will pay for the entire cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer, or the use thereof, by the present or future owners of said aforedescribed real estate, except as to such standard tap-in and inspection fees as are customarily charged by the CITY for connections to City sewer main.

An area connection fee as established by the City of Fort Wayne Board of Public Works by Resolution for the proposed Trier Ditch Gravity Interceptor will be due and payable at the time the OWNER-DEVELOPER abandons his private pump station and force main and makes connection.

4. CHARGE AGAINST EXCESS AREA

Said sewer, however, also serves an additional or excess area as shown on the attached Exhibit "A". In the event any present or future owner of real estate shall at any time within fifteen (15) years of the date of this agreement, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local oines to service such land, CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to the CITY, in addition to the cost of standard tap-in and inspection fees, the sum of $0.0539266 per square ft. for the area served by each such connection and use, which represents the pro rata share of the cost of the extension of the CITY sewer to said area. Any amount so collected by the CITY shall be paid by the CITY within sixty (60) days of the receipt thereof to the DEVELOPER.

In addition to the local charges due DEVELOPER as set forth within the above paragraph, the excess area is subject to the following:

For the areas noted on Exhibit "A" that North of Moeller Road they will be subject to the area connection fees as set forth by Resolution No. 62-381-44, Recording Document Number 76-00060, payable to the CITY.

For the areas noted on Exhibit "A" that are South of Moeller Road an area connection charge of $500.00 per acre must be paid to CITY prior to construction. These charges are to satisfy the projected Area Connection Fees that will be due the CITY to install the Trier Ditch Interceptor.

5. BOND

This contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer, said bond to serve as a guarantee of said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. LIMITATION ON USE

Said sewer shall be constructed for disposal of sanitary sewage only and neither the parties hereto, their successors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water run-off caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

7. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The DEVELOPER, for itself, its successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of any territory now or hereafter owned by him, as described in Article 3 herein.

In further consideration and to induce CITY to execute and ratify this contract, said DEVELOPER, for himself, his successors and assigns, agrees by this contract to vest in CITY the permanent right at its discretion to annex to the CITY OF FORT WAYNE any future time by duly authorized ordinance the said real estate described in Article 3, herein.

DEVELOPER further agrees that any deeds, contracts, or other instruments of conveyance made by the DEVELOPER, its successors or assigns transferring or conveying any interest in and to any of the real estate described in Article 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instruments from the DEVELOPER, his successors and assigns by any grantee, vendee, or contract purchaser shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser, and their successors in title.

The DEVELOPER further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Countil of CITY as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of CITY who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their, or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of such land or of the territory in which it is located or of the area served by said sewer.

8. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Section 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (I.C. 19-2-7-16, 19-2-7-17 and 19-2-7-18), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

9. COUNCILMANIC APPROVAL

It is understood and agreed that this contract is in all respects subject to approval by the Common Council of CITY, by duly adopted ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have ascribed their signatures to this Agreement the day and year first above written.

OWNER &
DEVELOPER: SHAMBAUGH AND SONS, INC.

BY: _____
Jim Burt, Corporate Secretary

BY: _____
Max Shambaugh, President

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Max Shambaugh and Jim Burt, by and who acknowledge the execution of the foregoing Agreement for sewer extension as and for its voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this FIRST day of DECEMBER, 1978.

_____, Notary Public
Resident of Allen County

My Commission Expires:

10-16-82

CITY OF FORT WAYNE, INDIANA

BY: _____
Robert E. Armstrong, Mayor

BOARD OF PUBLIC WORKS

BY: _____
Henry P. Wehrenberg, Chairman

BY: _____
Ethel H. LaMar, Member

BY: _____
Max G Scott, Member

ATTEST:

_____
Ursula Miller, Clerk

Approved as to form and legality:

_____
Larry J. Burke, Associate City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert E. Armstrong, Mayor; Henry P. Wehrenberg, Chairman of the Board of Public Works; Ethel H. LaMar and Max G Scott, Members of the Board of Public Works, who acknowledge the execution of the foregoing Agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

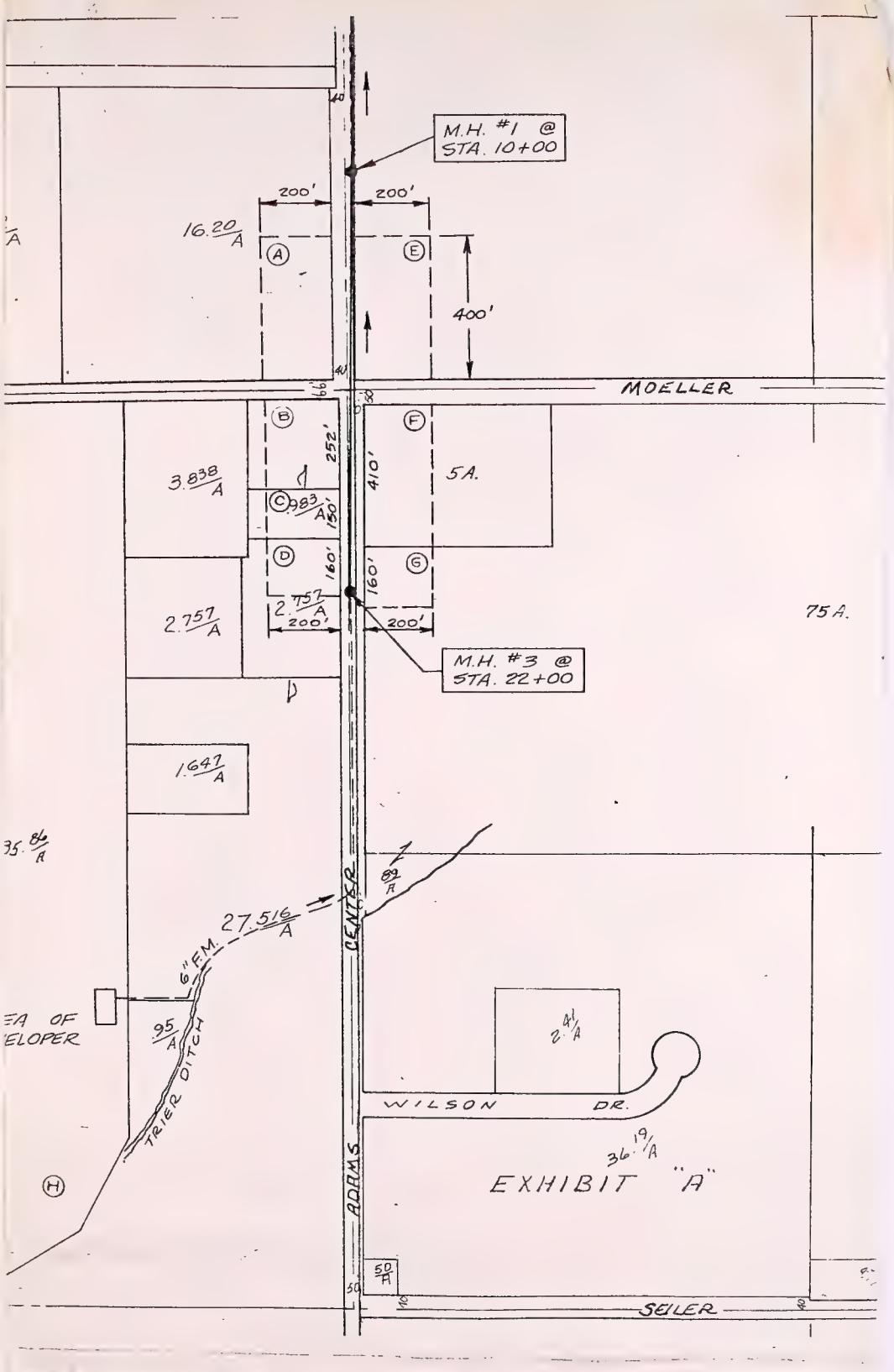
WITNESS my hand and notarial seal this 8 day of January, 197_.

_____, Notary Public
Resident of Allen County

My Commission Expires:

3/6/80

This instrument prepared by Philip R. Boller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.95 A
TRIER DITCH
2.41 A
WILSON DR.
36.19 A
H
ADAMS
EXHIBIT "A"
50 A
50
SEILER

EXHIBIT B
COMPUTATIONS

Local Sewer Cost

Total Cost of Local Sewer - $23,814.00

Total Local Benefited Area - 441,600 S.F.

Pro rata share per square foot of area served:

$$\frac{\text{Total Cost}}{\text{Total Local Area Served}} \qquad \frac{23,814.00}{441,600 \text{ S.F.}} = \$0.0539266/\text{S.F.}$$

OWNER	AREA (IN SQ. FT.)	LOCAL SEWER EXTENSION COST PER S.F.	LOCAL SEWER TOTAL EXTENSION COST
A. Weather Head Co.	80,000	.0539266	4,314.13
B. Geo. Demos Transportation Co., Inc.	50,400		2,717.90
C. Genco Tool Inc.	30,000		1,617.81
D. Illinois California Express	32,000		1,725.65
E. Wayne Haven Industrial Park	80,000		4,314.13
F. Roadway Express	82,000		4,421.98
G. Walter C. & Ludella S. Wiese	32,000		1,725.65
H. Area of Developer	55,200	.0539266	2,976.75
TOTAL	441,600 S.F.		$23,814.00

Additional charges payable to City computed individually per benefited area shown on Exhibit "A" only.

1. Area connection fees due Res. 62-381-44

2. Area connection fees due proposed Trier Ditch Interceptor

3. Tap permit fees (variable per benefited area)

96 - 102

Memorandum

To BOARD OF PUBLIC WORKS Date Dec. 1, 1978

From PHIL BOLLER - WPC Engr. Dept. 5-28-79

Subject MOELLER ROAD - Adams Center Rd. Sanitary Sewer

COPIES TO:

Attached for your and councilmanic approval is a special agreement for sanitary sewer extension to serve subject area. The developer is asking for prior approval from council due to the fact of the fast approaching inclement weather. We recommend the Board honor the developer's request. At the time a special sewer extension permit is presented to the Board the necessary performance and guaranty bonds will be provided.

PHILIP BOLLER PB&E

PHILIP BOLLER, Chief WPC Engr.

DE/ajf

67-11-16

1/8/78

~~66-292-19~~ H.I. R-6&R-8
67-4-19 → 1/3/79

103

Rec. 290-77

GRANT OF EASEMENT

78- 38992

THIS INDENTURE WITNESSETH that THEODORE F. HAGERMAN and DOROTHY HAGERMAN, husband and wife, SAM W. FLETCHER and CHARLOTTE D. FLETCHER, husband and wife FLOYD B. KELSEY, JR. and OLENE C. KELSEY, husband and wife, and WILLIAM O. HAGERMAN and JOAN H. HAGERMAN, husband and wife, each being over the age of twenty-one (21) years, of Allen County, State of Indiana, hereinafter referred to as "GRANTOR", for and in consideration of One Dollar ($1.00), receipt of which is hereby acknowledged, do hereby grant, quit claim and convey to the CITY OF FORT WAYNE, hereinafter referred to as "GRANTEE", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct and remove a sewer line, along and across the following described real property located in Allen County, State of Indiana, to-wit:

PERMANENT EASEMENT

An easement 20 feet in uniform width 10 feet on each side of a continuous centerline described as follows:

Beginning at a point located 1829 feet east of the west line and 3969.2 feet south of the north line of Section 5, Township 30 North, Range 13 East, said point being on the west property line of the Grantor's property, as described in Deed Record Book 608, Page No. 174; thence northeasterly at an angle of 75° 28' for a distance of 290.0 feet to a point; thence at a deflection of 38° 04' to the right for a distance of 420.7 feet to a point; thencd at a deflection of 4° 57' for a distance of 41.7 feet to a point; thence easterly to the east property line. Said point is 110 feet west and 1250 feet south of the northeast corner of the southeast quarter of Section 5.

ALLEN COUNTY RECORDER
1978 DEC -4 PM 1:11

DULY ENTERED FOR TAXATION
DEC 4 1978
Joan D. Yeheskel
AUDITOR OF ALLEN COUNTY

All as set forth in the attached drawing.

Grantee herein accepts the within easements, subject to the leasehold rights of National Advertising, Inc. and Rodara, Inc., and agrees to indemnify and save the Grantor harmless for any claim or action for damages initiated by said Lessees inconnection with the construction, operation, maintenance, reconstruction and/or removal of said sewer line.

The Grantee herein joins in the execution of this instrument for the purpose of acknowledging the delivery of the easement, and the assumption of any liability for damages to the Lessees and/or Grantor indentified herein.

Grantor herein certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

DATED THIS 4th DAY OF December, 1978.

"GRANTEE": INSTRUMENT # 12028

CITY OF FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott
Max G Scott, Member

City Box

10
4.5 Pd

"GRANTORS":

Theodore F. Hagerman

Dorothy Hagerman

Sam W. Fletcher

Charlotte D. Fletcher

Floyd B. Kelsey, Jr.

Olene C. Kelsey

William O. Hagerman

Joan H. Hagerman

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State. this 4th day of December, 1978, personally appeared the within named THEODORE F. HAGERMAN and DOROTHY HAGERMAN, husband and wife, SAM W. FLETCHER and CHARLOTTE D. FLETCHER, husband and wife, FLOYD B. KELSEY, JR. and OLENE C. KELSEY, husband and wife, and WILLIAM O. HAGERMAN and JOAN H. HAGERMAN, husband and wife, each being over the age of twenty-one (21) years, the Grantors, and acknowledge the execution of the foregoing Grant of Easement as and for their voluntary act and deed, for the uses and purposes therein contained.

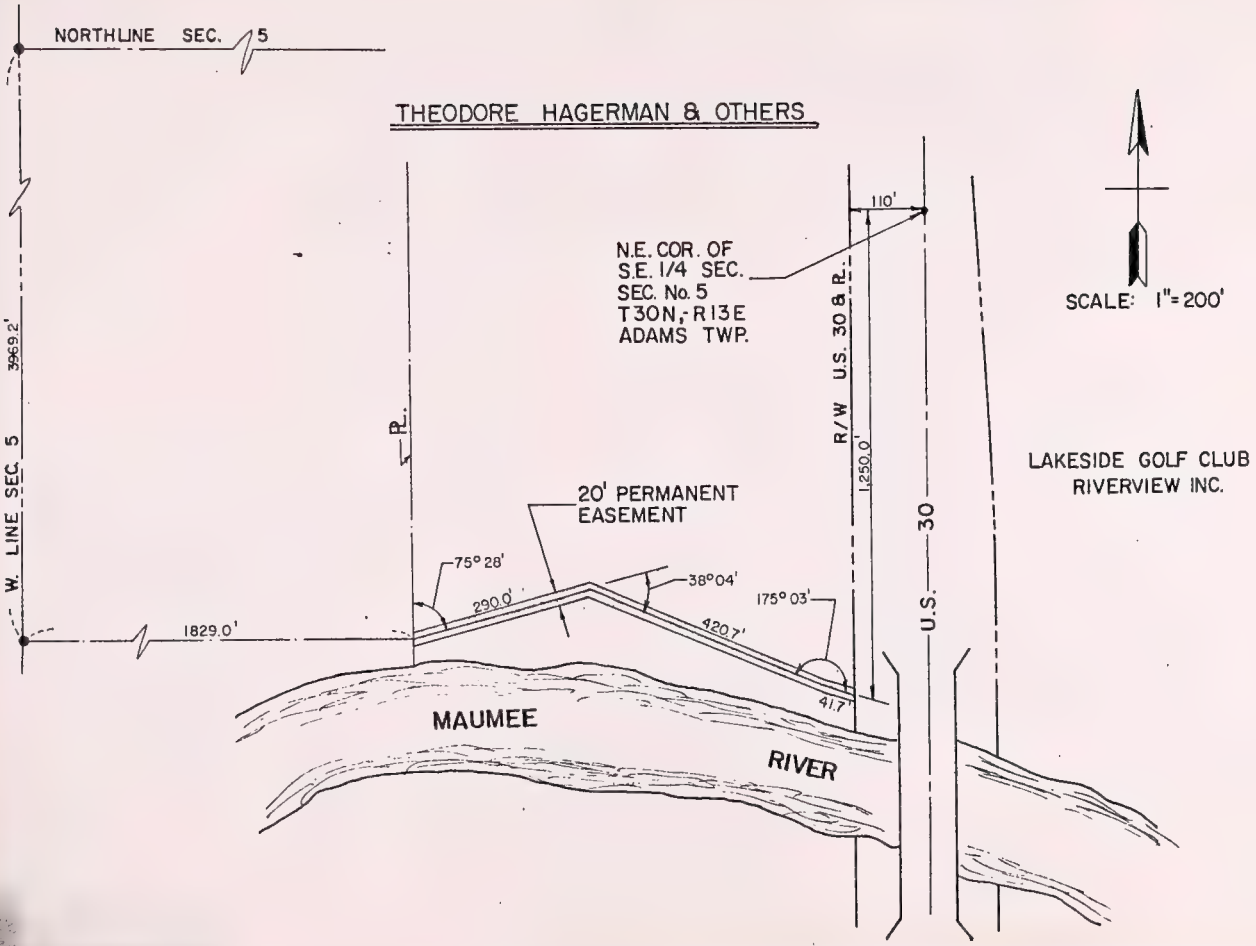
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

Notary Public
MARGARET S. DRAKE
Resident of Allen County

My Commission Expires:

July 1, 1980

This instrument prepared by Philip R. Boller


NORTHLINE SEC. 5
THEODORE HAGERMAN & OTHERS
N.E. COR. OF
S.E. 1/4 SEC.
SEC. No. 5
T30N,-R13E
ADAMS TWP.
110'
SCALE: 1"=200'
W. LINE SEC. 5
3969.2'
R.
R/W U.S. 30 & R.
1,250.0'
LAKESIDE GOLF CLUB
RIVERVIEW INC.
20' PERMANENT
EASEMENT
75° 28'
290.0'
38° 04'
175° 03'
420.7'
1829.0'
41.7'
U.S. 30
MAUMEE
RIVER

a 107 104

~~66-2919~~ H.I
67-3-9 → 1/3/79

Form 1929

Improvement Resolution

FOR ~~STREET OR~~ ALLEY

No. 5825 - 1978

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the alley running between Wildwood Avenue and Cottage Avenue

from the east property line of Indiana Avenue

to the west property line of South Wayne Avenue

By draining, curbing, grading and paving the ~~roadway~~ alley to a uniform width of twelve (12) feet ~~with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation, Six (6) inch Plain Concrete or with 8" Macadam, 2" binder and 1" Asphalt Top.~~ with 7" plain concrete

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

~~The total cost of said improvement, excepting the cost of street and alley intersections,~~ A maximum cost of 75% of the total cost shall be assessed upon the real estate abutting on said alley as above described and on property within 150 feet of the line of the alley to be improved, and upon the City of Fort Wayne, Indiana, to the extent of 25% of the total cost of the street and alley intersections. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five (5)~~ six (6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 3rd *day of* January, 1979

BOARD OF PUBLIC WORKS:

Henry P. Wehmeyer

Mary G. Scott

Attest:
Ursula Miller
Clerk

CALHOUN PRESS

Wednesday, January 3, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT — H. P. Wehrenberg, M. G Scott
Ursula Miller, Secretary and Clerk — Ursula Miller

Received Minutes of Meeting held Thursday, December 28, 1978 at 9:00 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permit issued.

3303 E. State ---------- Ort & Sons

4. Received street cut applications: — Approved and permit issued.

Anthony S/Berry ----------	C.U. Water Maint.
Ardmore N/L. Huntington Rd.---	WPC Engr.
3025 Bowser ---	NIPSCO
3025 Bowser ---	J & G Disconnect
125 W. Dewald ---	NIPSCO
Dodge & West Dr. ---	C.U. Water
802 Fairfield ---	"
5640 Fernwood ---	Schneck Excav.
2812 Gay ---	NIPSCO
2351 Gay ---	"
3525 Holton (alley) ---	"
1230 Home ---	C.U. Water Maint.
1437 Huestis ---	NIPSCO
5400 Industrial Rd. ---	"
400 Kinsmoor ---	C.U. Water
1425 McCulloch ---	NIPSCO
2924 McCormick (alley) ---	"
1015 Sherman ---	"
1714 Simon ---	Troy Wilson
2802 S. Wayne ---	C.U. Water
2445 Smith ---	NIPSCO
4326 Standish ---	C.U. Water
320 W. Superior ---	NIPSCO
1036 E. Washington (alley) ---	"
436 E. Wildwood ---	"
930 McKinnie ---	"
1820 Frenchmans Crossing ---	"
3108 S. Calhoun ---	"
3117 Bowser ---	"
1015 Sherman ---	"
2812 Gay ---	"
E. Berry & Canal ---	C.U. Water
1820 Frenchmans Crossing ---	NIPSCO
1031 Goshen Rd. ---	"
Harrison -- 183' S/Superior---	Ind. & Mich.
4019 Highwood ---	C.U. Water
3418 Lillie ---	NIPSCO
2901 Mardigras ---	"
2000 Blk. Randalia ---	C.U. Water
1303 Scott ---	"
3815 Sherman ---	NIPSCO
2528 Winch ---	C.U. Water

5. RECEIVE BIDS:

Sewer Resolution No. 302-78 - Kruge Place Addition Sanitary Sewer: (CITY PAID).

BERCOT, INC. ----------	$193,006.00
L. W. DAILEY, INC. -------	208,746.00
JOHN DEHNER, INC. --------	244,794.00
EARTH CONST. CO. ---------	286,979.75
FOX CONSTRUCTION CO. -----	240,777.28
HIPSKIND ASPHALT CORP. ---	266,300.00
T - G EXCAVATING, INC. ---	240,456.10

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award contract on January 22, 1979 at 9:00 a.m.

6. RECEIVE BIDS:

Street Lighting Resolution No. 135-78 for the installation of lighting in East Central Phase III and Phase IV Impact Area:

N. G GILBERT CO. -------	$31,800.00
T - F CONST. CO. -------	25,344.10

Referred to the Street Lighting Engineering Department for tabulation and report.

Award contract on Monday, January 8, 1979 at 9:00 a.m.

7. Received invoice from the City Controller (Barrett Law Department) for additional amount due to engineering error on five property owners' assessments in the amount of $482.74 covering City's cost on Street Lighting Resolution No. 128-78 Anthony Wayne Village.

Approved and ordered paid from 1978 Revenue Sharing Fund

8. RESOLUTION NO. 67-2-8

Approved.

WHEREAS, Edward H. Bornkamp, Wanda M. Bornkamp, Robert Steffey, Ruth A. Steffey, Gary Ernest and Norma Ernest have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

Garden Road as platted in Block "A" & "B" in George Ashley Homestead to the City of Fort Wayne, Indiana, (being part of the DeRome Reserve in Section 17, Township 31 North, Range 13)

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46.

9. Received Alley Improvement Resolution No. 5825-78, final plans, estimate, specifications and property ownership list prepared by the Street Engineering Department for improving the alley running between Wildwood Avenue and Cottage Avenue from the east property line of Indiana Avenue to the west property line of South Wayne Avenue.	Approved and adopted. A true copy of which Resolution No. 5825-78 is incorporated herein. Advertise Notice to Property Owners January 12 and 19, 1979. Hearing on Confirmation Thursday, February 1, 1979 at 3:30 P.m. Mail notices January 19, 1979.
10. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Nobis Construction Company, Inc. with Guaranty Maintenance Bond in the amount of $4,683.00 signed by Fidelity and Deposit Company of Maryland for Wood Youth Center Sanitary Sewer.	Approved. Ordered acceptance letter written.
11. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of North Eastern Construction Company, Inc. with Guaranty Maintenance Bond in the amount of $17,087.50 signed by American States Insurance Company for Tanbark, Section I Sanitary Sewer.	Approved. Ordered acceptance letter written.
12. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Earth Construction & Engineering, Inc. with waive of required one year maintenance bond for Perry Hill School - Northwest Allen County School.	Approved. Ordered acceptance letter written.
13. Received invoice No. 4 of Hipskind Asphalt Corporation in the amount of $18,968.86 approved by the Street Engineering Department covering work on Resolution No. 5802-78 Nebraska Neighborhood, Phase III.	Approved and ordered paid by Community Development and Planning.
14. Received invoice No. 2 of Carrington & Associates, Inc. in the amount of $11,513.88 approved by the Street Engineering Department covering work on Resolution No. 5812-78 - Oxford Impact Area, Phase III - Alternate Colerick Street.	Approved and ordered paid by Community Development and Planning.
15. Received invoice of L. W. Dailey, Inc. in the amount of $6,920.40 approved by the Street Engineering Department covering work on Resolution NO. 5803-78 - Vance Avenue pavement replacement.	Approved and ordered paid from 1978 MVH Funds.
16. Received Change Order No. 5 of Hagerman Construction Corporation in the amount of $385.00 prepared and approved by McNamee, Porter and Seeley, Consulting Engineers, for Contract 77-W-1 - Water Works Improvements Washwater Retention Basin.	Approved and ordered sent to the Common Council on Tuesday, January 9, 1979 at 8:00 p.m.

17. Received Certificate of Substantial Completion for Restoration of "Old City Hall" of Shambaugh and Son, Inc. approved by Architects Cole - Matott.

Approved.

18. Received invoice No. 71-02-310-03 of HNTB - Henry B. Steeg & Associates Division approved by the General Superintendent of City Utilities for professional engineering services performed in connection with WPC Plant Expansion Project Electrical Inspection in accordance with Supplement 1.A of our Agreement approved by the Board March 22, 1978. Authorization to Proceed dated July 14, 1978. Billing in accordance with Supplement 2. Services rendered for the period of September 30, 1978 through October 27, 1978. Amount of invoice is $3,351.22.

Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

19. Received Grant of Easement whereby Theodore F. Hagerman and Dorothy Hagerman, Sam W. Fletcher and Charlotte D. Fletcher, Floyd B. Kelsey, Jr. and Olene C. Kelsey and William O Hagerman and Joan H. Hagerman quit-claim and convey to the City of Fort Wayne, Indiana a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct and remove a sewer line, along and across the following described real property located in Allen County, State of Indiana, to-wit:

Approved.

A true copy is incorporated herein.

Permanent Easement

An easement 20 feet in uniform width 10 feet on each side of a continuous centerline described as follows:

Beginning at a point loacated 1829 feet east of the west line and 3969.2 feet south of the north line of Section 5, Township 30 North, Range 13 East, said point being on the west property line of the Grantor's property, as described in Deed Record Book 608, Page No. 174; thence northeasterly at an angle of $75^{o}28'$ for a distance of 290.0 feet to a point: thence at a deflection of $38^{o}04'$ to the right for a distance of 420.7 feet to a point; thence at a deflection of $4^{o}57'$ for a distance of 41.7 feet to a point; thence easterly to the east property line. Said point is 110 feet west and 1250 feet south of the northeast corner of the southeast quarter of Section 5.
(N. MAUMEE RIVER SANI. INTERCEPTOR - Resolution NO. 290-77)

20.	Received Release of Easement whereby the City of Fort Wayne releases to owners: Theodore F. and Dorothy Hagerman, Sam W. and Charlotte D. Fletcher, Floyd B. Jr. and Olene C. Kelsey, and William O. and Joan H. Hagerman permanent easement 20 ft. in uniform width 10 ft. on each side of a continuous centerline as recorded Instrument 77-025322. (N. MAUMEE RIVER SANI. INTERCEPTOR - Resolution No. 290-77).	Approved and on file in the Board of Public Works. Ordered Quit-Claim Deed prepared.
21.	Received recommendation from the Street Light Engineering Department that Board reduce retention of Escrow of T & F Construction Corporation from 10% to 5% on Street Light Resolution No. 125-77 - CBD Street Lighting and Traffic Signals - EDA Project 06-51-26289. Received invoice of T & F Const. Corp. in the amount of $72,569.38	Approved. Ordered Indiana Bank & Trust Company to pay T & F Construction Corporation $72,569.38 from Escrow Account
22.	Received a request from Allen County Right-to-Life, 1009 W. Berry, for permission to hold a parade on Saturday, January 20, 1979 from 12:00 Noon to 1:00 p.m. Starting at City-County Parking Lot and terminating at Central High School. Route to be traveled: City-County Parking Lot, South on Calhoun to Lewis to Central High. PURPOSE: Commemorate Superior Court Decision.	Approved and permit issued.
23.	Received invitational bids taken by the Street Engineering Department for Drainage Relief - Fairlawn Pass and Reed Road: L. W. DAILEY, INC. ------- $3,800.00 T - G EXCAVATING, INC. ---- $3,989.20	Awarded to L. W. Dailey, Inc. at and for their bid in the amount of $3,800. Purchase Order No. 03645 issued.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, January 4, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar
M. G Scott
Ursula Miller

1. Continued from December 21, 1978
HEARING ON CONFIRMATION:

Street Lighting Resolution No. 134-78 for lighting Guild Drive from the north property line of Lots 128 and 139 Victoria Park Addition Section 4 to its southern terminus, Derbysire Drive from its northern terminus to the south property line of Lots 37 and 49 Victoria Park Addition Section 2, Salisbury Drive from the north property line of Lot 115 Victoria Park Addition Section 3 and the north right-of-way of Esser Drive to the south property line of Lots 51 and 82 Victoria Park Addition Section 2, Asquith Drive from Derbyshire Drive to Salisbury Drive and Montford Drive from its western terminus to Derbyshire Drive.
(AMENDED resolution by deleting Montford from Salisbury to Derbyshire).

CONFIRMED.

Advertise Notice to Contractors January 12 and 19, 1979.

Receive bids on Wednesday, January 24, 1979 at 9:00 a.m.

Ordered the Street Lighting Engineering Department to prepare bid documents.

2. HEARING ON CONFIRMATION:

Sanitary Sewer Resolution No. 876-78 - McKinley - Connett - Edwards Area Sanitary Sewer.
(SEWER EASEMENT RES. NO. 159-78)

CONFIRMED.

Advertise, Notice to Contractors January 12 and 19, 1979.

Receive bids on Wednesday, January 24, 1979 at 9:00 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

3. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 159-78 for the condemnation of a Permanent and Temporary Easement for the purposes to construct a sewer line along and across a portion of the Northeast Quarter Section 16, Township 30 North, Range 12 East; bounded on the north by Covington Road; bounded on the east by McKinley Avenue; bounded on the south by Nuttman Avenue; bounded on the west by Norfolk and Western Railway Company.
(SEWER RES. NO. 876-78).

CONFIRMED as AMENDED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

(AMEND Paragraph #4 of Easement Resolution to read:
"Permanent Easement: A 15 foot in uniform width easement along the South property line of Lot 16 and Lot 17.")

Incorporated with Resolution 159-78 (66-267-18)

Meeting adjourned at 4:30 p.m.

Henry P. Wehrenberg

Edward D. LaMar

Mary J. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Monday, January 8, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E.
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Wednesday, January 3, 1979 at 9 a.m. and Thursday, January 4, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered s
the Department of Finan

3. Received street cut applications:

Approved and permits i

545 S. Anthony	- NIPSCO
Aylesford & Winchester	- C.U. Water
4407 Beaver	- NIPSCO
4611 Beaver	- "
1405 Broadway (alley)	- "
1113 Broadway	- "
6901 Bluffton	- "
2210 Brown	- "
2616 Busche	- "
Catalpa /2725 Taylor	- "
3402 Central (alley)	- "
2212 Chestnut (alley)	- "
6127 Chicory	- "
S. Colonial at Capitol	- C.U. Water
1035 Delaware	- "
137 E. Dewald	- NIPSCO
6109 Downington (prkstrp)	- C.U. Water
3622 Euclid	- NIPSCO
2504 Fairfax	- C.U. Water
2523 Fox	- NIPSCO
1140 Franklin	- "
1121 High	- "
5305 Holton	- C.U. Water
4410 Indiana	- NIPSCO
2505 and 2510 Knollwood Ct.	- "
1231 E. Lewis (alley)	- "
Melrose & Edith	- C.U. Water
1911 Spy Run /Nussbaum	- NIPSCO
1215 Packard	- "
3224 Pavilion Ct.	- "
215 Putman	- C.U. Water
2511 Randall Rd.	- "
1614 Roosevelt	- "
4506 S. Wayne	- NIPSCO
1801 Spy Run	- "
2817 Taylor	- C.U. Water
607 Taylor	- NIPSCO
2418 Thompson	- "

700 Blk. Wallace (prkstrp)	- C.U. Water
515 Walnut	- NIPSCO
511 Walnut	-
201 W. Washington	- C.U. Water
Waynewood & Old Trail	- "
Wildwood /3108 S. Calhoun	- "
Winchester W/Aylesford	- "
4714 Winter	- "
3323 Taylor	- "
2714 Kelmar	- "
3316 S. Harrison	- "
S/E cor. McKinnie & Spatz	- "
1114 Dearborn	- "
108 W. Packard	- "
1207 New Haven	- NIPSCO
5210 Werling	- "
2606 Alma	- "
1728 Andrew	- "
1207 S. Anthony	- "
1821 Antoinette	- "
3602 Avondale (alley)	- "
Baker at Harrison	- C.U. Water
601 E. Brackenridge (alley	- NIPSCO
531 E. Brackenridge (alley)	- "
605 E. Brackenridge (alley)	- "
422 Buchanan	- "
705 Canal	- "
551 Commerce (alley	- "
525 Commerce (alley)	- "
4306 Deforest	- "
Eby at Paul (prkstrp)	- C.U. Water
1101 Wells	- NIPSCO
2708 Greenview	- "
Hobson /3703 Rupp	- "
2725 Kelmar	- "
2333 Kenwood	- "
608 Kinsmoor	- C.U. Water
6922 & 6930 Ordway	- NIPSCO
3204 Reed (alley)	- "
3101 Chestnut	- "
2029 Riedmiller	- "
4035 S. Wayne	- C.U. Water
711 Walnut	- NIPSCO

4. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Street Lighting Engineering Department for Street Light Resolution No. 135-78 for East Central Phase III & IV.

AWARD CONTRACT to T & F Construction Corporation at and for their bid in the amount of $25,344.10 subject to councilmanic approval.

Ordered the Street Lighting Engineering Department to prepare contract.

5. Received a request from G & L Corporation, 3002 Brooklyn, for permission to barricade the north side of the 100 block of West Berry Street from Calhoun Street to the alley Wednesday, January 10, 1979 from 1:00 p.m. till 3:00 p.m.
PURPOSE: Taking telephone equipment out of the Fort Wayne National Bank Building.

Approved and permit issued.

6.	Received invoice #45 of Hagerman-Shambaugh (Joint Bidders) in the amount of $260,572.65 approved by HNT&B (H.B. Steeg Div.) for the period of October 25, 1978 to November 24, 1978 for Water Quality Control Project Division I - Water Pollution Control Plant Additions.	Approved and ordered City Utilities to pay invoice. Also ordered the amount of $13,714.35 paid to Hagerman Shambaugh Escrow Account at Lincoln National Bank. Payments are to be made from Water Pollution Control Utility Fund.
7.	Received petition of Cities Service Company to find that real estate located at Fairfield Avenue and Hollis Lane has not been abandoned.	Approve petition. No demolition order issued.
8.	Board hereby recognizes encroachment of a sign upon the right-of-way in front of 2531 Broadway by National Oil Corporation (Improvement Location Permit 697-E).	Approved. On file in the Board of Public Works.
9.	Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Leininger Excavating, Inc. with Maintenance Bond in the amount of $11,000 signed by American States Insurance Company for TACO-TICO - North Clinton Storm Sewer.	Approved. Ordered acceptance letter written.
10.	Received Invoice No. 3 of Winzeler Excavating Co., Inc. in the amount of $76,752.52 prepared and approved by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 298-77 - Rothman Road and Maplecrest Road Interceptor.	Approved and ordered paid by City Utilities. Also ordered $8,803.40 paid to Winzeler Excavating Co., Inc. Escrow Account at Fort Wayne National Bank. Payments are to be made from the Water Pollution Control Utility Fund.
11.	Received Invoice No. 12 of W. A. Sheets & Sons, Inc. in the amount of $16,829.10 prepared and approved by Cole-Matott, Architects, covering general construction for restoration of "Old City Hall".	Ordered the City Controller to pay invoice of W. A. Sheets & Sons, Inc. Also ordered $1,869.90 paid to W. A. Sheets Escrow Account at Indiana Bank & Trust Company Payments are to be made from LPW II.
12.	Received Invoice No. 12 of Shambaugh & Son, Inc. in the amount of $1,879.00 prepared and approved by Cole-Matott, Architects, covering electrical construction for restoration of "Old City Hall".	Approved and ordered paid by City Controller from LPW II.

13. Received Certificate of Substantial Completion prepared by Cole-Matott, Architects, for A. Hattersley & Sons, Inc. for Mechanical Construction Work for Restoration of "Old City Hall".	Approved.
14. Received a request from Indiana & Michigan Electric Company (Charles Backofen) 2101 Spy Run Avenue, for permission to barricade the west curb lane of Harrison Street 180 ft. south of Superior to about 50 ft. south of Dock Street on Wednesday, January 10 through Friday, January 12, 1979 from 9:00 a.m. till 4:30 each day. PURPOSE: Tie in duct lines for service to Perfection Biscuit Company.	Approved and permit issued.
15. Received Water Contract No. 7825 prepared and approved by the Water Engineering Department between Landmark Homes, Inc. and the Fort Wayne Water Utility for construction of water mains to serve Mariner's Ridge Section III, Phase A.	Aporoved. Ordered sent to the Water Engineering Department for handling.
16. Received Agreement for Sewer Extension Between Shambaugh and Son, Inc. and the City of Fort Wayne, Indiana, for the construction of a sanitary sewer known as Moeller Road Trailer Park Offsite Sanitary Sewer.	Approved. A true copy is incorporated herein. Ordered sent to the Common Council on Tuesday, January 23, 1979 at 8:00 p.m.

Meeting adjourned at 10:05 a.m.

Henry P. Altenburg

Edward H. DeMoss

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, January 10, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEHRENBERG, E. H. LAMAR
M. G SCOTT
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications: — Approved and permits issued

1224½ S. Anthony	-	NIPSCO
3117 Bowser	-	"
Bradbury, N/L. Huntington	-	C.U. Water
2025 Brooklyn	-	R. & A Plumb.
1706 S. Calhoun	-	C.U. Water
5000 S. Calhoun	-	"
1800 Blk. Capitol	-	"
1207 N. Harrison /Cass	-	"
500 E. Coliseum	-	"
205 E. Concord (prkstrp)	-	"
600 Constance	-	John Hartman Const.
3405 Eastwood	-	C.U. Water
Parkhill / Catherine	-	John Hartman Const.
324 W. Creighton	-	NIPSCO
1613 Crescent	-	"
Alley NE Dearborn - bet. Rivermet and Lake	-	Gen. Tele.
1114 Dearborn	-	NIPSCO
2031 Dominion	-	"
1219 Eckart	-	"
1420 Eliza	-	"
1326 Eliza	-	"
6227 Goodfellow	-	"
1340 Grant	-	"
1228 Grant	-	"
3316 S. Harrison	-	"
2504 Lake	-	"
5732 Lancashire Ct.	-	"
930 E. McKinnie	-	"
215 Mechanic	-	C.U. Water
214 Mechanic (prkstrp)	-	R & A Plumb.
108 W. Packard	-	NIPSCO
Intersec. Hoagland & Pettit-	-	"
2807 Sherborne	-	C.U. Water
3323 Taylor	-	NIPSCO
1400 Vance	-	C.U. Water
2815 Weisser Pk.	-	NIPSCO
2722 Weisser Pk.	-	"
5210 Werling	-	"
124 W. Butler	-	"
4140 Coldwater Rd.	-	"
3506 Robinwood	-	"

4. Received Quit-Claim Deed whereby the City of Fort Wayne, Indiana, quit-claims to Theodore F. and Dorothy Hagerman; Sam W. and Charlotte D. Fletcher; Floyd B., Jr. and Olene C. Kelsey; and William O. and Joan H. Hagerman the following described real-estate in Allen County, State of Indiana: An easement 20 ft. in uniform width 10 ft. on each side of a continuous centerline. (Re: Release of Easement - in connection with Sewer Resolution No. 290-77 - North Maumee Interceptor).	Sent to Water Pollution Control Engineering Department for handling. Copy is incorporated herein.
5. Received quotations from the Purchasing Agent for the proposed purchase of one 1979 3/4 Ton Heavy Duty Pick-Up Truck for the Water Maintenance and Service Department: ALLEN COUNTY MOTORS, INC. ------- $6,078.00 DeHAVEN CHEVROLET, INC. --------- $6,071.84	The bid of DeHaven Chevrolet, Inc. was accepted under Purchase Order No. 0768 dated January 4, 1979 in the amount of $6,071.84 subject to councilmanic approval. Ordered sent to the Common Council on Tuesday, January 23, 1979 at 8:00 p.m.
6. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Porter Construction, Inc. with Guaranty Bond in the amount of $36,193.78 signed by American States Insurance Company for Sanitary and Storm Sewers to serve Seneca Hills, Section II.	Approved. Ordered acceptance letter written.
7. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Leininger Excavating, Inc. with Guaranty Bond in the amount of $5,000 signed by United States Fidelity & Guaranty for Don Hoevel Memorial Sanitary Sewer - Lake and Coliseum Blvd.	Approved. Ordered acceptance letter written.
8. Received inspection report from the Water Engineering Department and Completion Affidavit of JOhn Hartman Construction Company with Guaranty Bond in the amount of $4,991.75 signed by State Automobile Mutual Insurance Company for Water Contract #7805 - Crown Ridge Addition, Section "A".	Approved. Ordered acceptance letter written.
9. Received invoice of Martindale, Tourney, Gibson, Inc. Architects, in the amount of $927.31 for architectural services per agreement dated November 3, 1976 in connection with remodeling and addition to the Humane Shelter. Invoice #5.	Approved and ordered paid from Revenue Sharing Account.
10. Received invoice of Turnbell - Green and Associates, Inc. in the amount of $10,125.00 approved by the Street Engineering Department for professional engineering services for improvement to railroad-street grade crossings per agreement dated July 1, 1977 - Group No. 1 (3 crossings), Phase II.	Approved and ordered paid from LRS Funds.

11.	Received invoice of Turnbell - Green and Associates, Inc. in the amount of $11,635.00 approved by the Street Engineering Department for professional engineering services for improvement to railroad-street grade crossings per agreement dated July 1, 1977. Group 2 (3 crossings), Phase I (Preliminary Design Plans).	Approved. Ordered paid from LRS Fund.
12.	Received Special Sewer Permit for Wheatridge Investors, Inc. prepared and approved by the Water Pollution Control Engineering Department for the construction of a sanitary Wheatridge, Section I. A. D. Equipment Company will perform the construction work. 25% Maintenance Bond is to be furnished at time Completion Affidavit is filed.	Approved. Special Sewer Permit issued. Board Order No. 4-79.
13.	Received Special Sewer Permit for Wheatridge Investors, Inc. prepared by the Water Pollution Control Engineering Department for the construction of a sanitary sewer known as Newberry, Section I Sanitary Sewer. A. D. Equipment Company will perform the construction work. 25% Maintenance Bond is to be furnished at time Completion Affidavit is filed.	Approved and Special Sewer Permit issued. Board Order No. 3-79.
14.	Received Special Sewer Permit for Wheatridge Investors, Inc. prepared by the Water Pollution Control Engineering Department for the construction of OFF-SITE Sanitary sewer known as Wheatridge OFF-SITE Sanitary Sewer. Bercot, Inc. is to perform the construction work. Performance Bond is in the amount of $86,107.15. (Value of work is $67,209.80).	Approved and Special Sewer Permit issued. Board Order No. 5-79.
15.	Received Special Sewer Permit for Wheatridge Investors, Inc. prepared by the Water Pollution Control Engineering Department for the construction of OFF-SITE Newberry Section I Sanitary Sewer. Bercot, Inc. is to perform the construction work. Performance Bond is in the amount of $86,107.15. (Value of work is $18,897.35).	Approved and Special Sewer Permit issued. Board Order No. 6-79.
16.	Received invoice of Bercot, Inc. in the amount of $1,656.00 approved by the Water Pollution Control Engineering Department for removal and replacement of additional concrete pavement at Sallie's Alley.	Approved and ordered paid from Purchase Order No. 9974 by City Utilities.
17.	Received invoice #5 of Havel Bros., Inc. in the amount of $1,089.00 prepared and approved by Martindale, Tourney & Gibson, Architects, covering work on Humane Shelter.	Approved. Ordered the Controller to pay invoice out of LPW Round II.

18. Received Invoice #8 of Weigand Construction Company, Inc. in the amount of $12,048.00 prepared and approved by Martindale, Tourney, Gibson, Inc. covering work on Humane Shelter. EDA Proj. 06-51-26280.

Approved and ordered City Controller to pay invoice from LPW Round II.

19. Received request from Irmscher & Sons, Inc. (Ralph Banks) 1030 Osage, for permission to barricade 100 WEst Wayne in front of Main Auto on Tuesday, January 9, 1979 thru Wednesday, May 9, 1979 at all times. PURPOSE: For use by construction vehicles (Irmscher, Hattersley Elec. Co. & Pearson Company) for building renovation.

Approved and permit issued.

Meeting adjourned at 10:5 a.m.

Henry P. Ehrenberg

Edward W. Pelman

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, January 11, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LAMAR, M. G SCOTT
Ursula Miller

Received Minutes of Meetings held on
Monday, January 8, 1979 at 9 a.m. and
Wednesday, January 10, 1979 at 9 a.m.

1. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 161-78 for the condemnation of a permanent and temporary easement for the purpose to construct, operate, control and maintain a sewer line along and across a portion of the South half of Section 28 and 29, Township 30 North, Range 12 East, and the North half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390 ± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235 ± feet East of the centerline of Ardmore Avenue, bounded on the South by a line 60 ± feet South of the centerline of Rurode Lane, bounded on the West by a line 995 ± feet West of the East line of the Northwest Quarter Section 32.

Continued to Thursday, January 25, 1979 at 3:30 p

2. Received Quit-Claim Deed whereby the City of Fort Wayne, Indiana, releases and quit-claims to Phillip H. Love the following described real estate:

East 1/2 Lot 212 Eliza Hanna Sr. Addition commonly known as 1324 Hayden Street.

Approved. A true copy is incorporated herein.

3. Received Warranty Deed whereby the City of Fort Wayne, Indiana, conveys and warrants to James H. Bowman the following described real estate:

East 1/2 of Lot 63 in Lasselle's Addition to Lasselleville, now in the City of Fort Wayne, Allen County, in the State of Indiana, known as 421 East DeWald Street.

Approved. A true copy is incorporated herein.

Meeting adjourned at 5:00 p

Henry P. Wehrenberg
E. H. Lamar
Max G. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Wednesday, January 17 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meeting held on
Thursday, January 11, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications: — Approved and permits issued.

Bethany Lane & N. Clinton (prkstrp)	-	C.U. Water Maint
341 Dalgren	-	NIPSCO
Edwards & Nuttman	-	WPC Engr.
6208 Highgate Pl.	-	NIPSCO
Indiana bet. Fairfax & Old Farm Circle	-	Gen. Tel.
2537 John	-	NIPSCO
4038 Kentland (prkstrp)	-	C.U. Water Maint.
2505 E. Maple Grove	-	"
6030 Neighbor	-	NIPSCO
2903 Neighbor	-	"
2903 Pinewood	-	"
1021 Sherman	-	"
3501 - 3505 Shoaff Pk. River Dr.	-	"
1400 St. Marys (prkstrp)	-	C.U. Water Maint.
1228 and 1329 Springbrook	-	NIPSCO
1720 Tecumseh (alley)	-	"
5410 Webster	-	C.U. Water Maint.
1504 Vance	-	NIPSCO
4018 Dalewood (prkstrp)	-	"
2733 Hoagland	-	"
1428 E. Lewis	-	"
1706 S. Calhoun	-	"
1340 Westover Rd.	-	"
3717 Schele	-	"
423 W. Wildwood	-	"
3512 S. Barr	-	"
2203 Chestnut (prkstrp)	-	"

4. Received private sidewalk application: — Approved and permit issued.

1305 Sinclair St. ---------- Golden Rule Sewer Service

5. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Street Light Resolution No. 131-78 - Lakewood Addition Ornamental Street Lighting.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment January 26 and February 2, 1979.

Hearing on Confirmation of Assessment Roll Thursday, February 8, 1979 at 3:30 p.m.

Notices to be mailed on February 2, 1979.

6. RECEIVE BIDS:

Street Lighting Resolution No. 132-78 for the installation of street lighting on Devonshire Drive, more specifically defined as Devonshire Drive from Maple Grove to Ashcroft all in accordance with the drawing and specifications.

N. G. GILBERT, INC. ----------$9,965.00

SCHMIDT ELEC. CO. ---------- $7,020.00

T & F CONST. CO. ---------- $6,593.60

Referred to the Street Lighting Engineering Department for tabulation and report.

Award contract on January 22, 1979 at 9:00 a.m.

7. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of John Hartman Construction Company with Guaranty Bond in the amount of $6,051.00 (25% Maintenance Bond) signed by American States Insurance Company for Oak Grove Estates, Section II Sanitary Sewer.

Approved.

Ordered acceptance letter written.

8. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of John Hartman Construction Company with Guaranty Bond in the amount of $3,000.00 (25% Maintenance Bond) signed by American States Insurance Company for Oak Grove Estates, Section III Sanitary Sewer.

Approved.

Ordered acceptance letter written.

9. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of T - G Excavating, Inc. with Guaranty Bond in the amount of $58,347.00 signed by Fidelity and Deposit Company at Maryland for Pine Valley Village Mall Sanitary Sewer.

Approved.

Ordered acceptance letter written.

10. Received request from the Purchasing Agent for the proposed purchase of three months supply (January thru March 1979) of liquid ferrous sulfate for a test run study on phosphorous removal for the Water Pollution Control Plant:

    BY-PRODUCTS MANAGEMENT, INC. ----- $7,500.00

    Approved under Purchase Order No. 0798 in the amount of $7,500.00.

    Ordered sent to the Common Council on January 23, 1979 at 8:00 p.m.

11. Received Change Order No. 3 of Brooks Construction Company, Inc. in the amount of $13,790.03 prepared by the Street Engineering Department covered by Resolution No. 5796-78 Columbia Avenue Project - "The Landing".

    Approved.

    Ordered sent to the Common Council on Tuesday, January 23, 1979 at 8:00 p.m.

12. Received invoice of T & F Construction Corp. in the amount of $3,023.31 prepared by the Traffic Engineering Department covering work on Resolution No. 5797-78 - Jefferson - Washington - Maumee project.

    Approved and ordered paid from LRS Account.

13. Received Invoice #1 of Dailey Asphalt Products Company in the amount of $41,527.08 prepared by the Street Engineering Department covering Resolution No. 5816-78 - Resurfacing Pontiac Street and Creighton Avenue.

    Approved and ordered paid from Resurfacing Revenue Account.

14. Received inspection report from Street Engineering Department and Completion Affidavit of John Dehner, Inc. with Maintenance Bond in the amount of $15,000 signed by United States Fidelity & Guaranty Company for Centennial Industrial Park, Section II (INDEPENDENCE DRIVE AND CHARLESTON PLACE).

    Approved.

    Ordered acceptance letter written.

15. Received invoice of L. W. Dailey, Inc. in the amount of $1,200 prepared by the Street Engineering Department for work at 1718 Edsall Drainage Problem.

    Approved.

    Ordered paid under Purchase Order No. 4-03589.

16. Received Invitational Bids from the Street Engineering Department covering work on Romane Court in Tower Heights Addition:

    CARRINGTON & ASSOC. ---------- $1528.50
    BROOKS CONST. CO. ------------ $1,920.00

    Approved bid of Carrington & Assciates in the amount of $1,528.00.

    Ordered purchase order #03665 issued.

17.	Received Invoice No. 71-02-310-01-04 of HNTB - Henry B. Steeg & Associates Division approved by the General Superintendent of City Utilities in the amount of $2,552.87 for professional engineering services performed in connection with WPC Plant Expansion Project, Electrical inspection in accordance with Supplement 1.A of our Agreement dated April 27, 1971. Authorization to Proceed dated July 14, 1978. Billing in accordance with Supplement 2. Services rendered for the period of October 28, 1978 through November 24, 1978.	Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.
18.	Received invoice No. 71-01-310-01-85 of HNTB - Henry B. Steeg & Associates Division approved by the General Superintendent of City Utilities inthe amount of $3,668.58 for general engineering - Water Quality Control Project - Division I - Water Pollution Control Plant Additions - Federal Project C-180538-01.	Approved and ordered paid by City Utilities from the Water Pollution Control Utility Fund.
19.	Received Invoice #2 of Spears-Dehner, Inc. in the amount of $76,551.37 approved by the Water Pollution Control Engineering Department covered by Resolution No. 303-78 - Monarch Park Drain, Phase II.	Approved and ordered invoice paid from Revenue Sharing Account 4-02-134-449-4200. Also ordered $8,505.71 paid to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank & Trust Company.
20.	Received Invoice #9 (FINAL) of Rieth-Riley Construction Company, Inc. in the amount of $5,645.00 prepared by the Street Engineering Department for retainage on Resolution No. 5767-77 - Clinton from Barr to Superior Streets.	Approved and ordered paid from LRS Account #308-001.
21.	Received invoice of L. W. Dailey for an additional $1,615 for repair of flood damaged curbing on Dwenger Avenue. Original bid under Flood Emergency Resolution No. 66-16-15 was $2,319 (P.O. 0040) for repair of 6 x 6 curbing when in actuality 6 x 20 ft. had to be repaired.	Ordered City Utilities to pay to L. W. Dailey $1,615 and ordered City Utilities General Superintendent to seek reimbursement under DSR.
22.	Received invoice #4 of Bercot, Inc. in the amount of $17,021.05 prepared by the Water Pollution Control Engineering Department for work on Sewer Improvement Resolution NO. 290-77 - North Maumee Interceptor, Section III. (FINAL).	Approved and ordered paid from the Water Pollution Control Utility Fund by City Utilities. (FINAL Payment).
23.	Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Bercot, Inc. with Guaranty Bond in the amount of $192,337.00 signed by The Cincinnati Insurance Company for work on Resolution No. 290-77 - North Maumee Interceptor, Section III.	Approved. Ordered acceptance letter written.

24. Received a petition for ornamental street lighting on Arlington Avenue from Rudisill to Pasadena.

Approved.

Ordered the Street Lighting Engineering Department to investigate and report.

Board Order No. 7-1979.

25. Received Engineer's Certificate of Approval for Sewer Resolution No. 294-77 - Freeman-Covington Project EDA 06-51-26281.
Bercot, Inc. of 3838 Mobile Avenue, Fort Wayne, Indiana is the contractor on this job.
Warranty period begins January 17, 1979 and ends January 16, 1980.

Approved.
On file in the Board of Public Works.

26. Received a request from Lincoln National Life Insurance Company (Derek Thomas) 1300 S. Clinton Street, for permission to barricade Harrison Street from Douglas to Brackenridge on Monday, February 12, 1979 from 7:00 p.m. till 8:00 p.m.
PURPOSE: Annual Boy Scout Pilgrimage.

Approved and permit issued.

Meeting adjourned at 11:05 a.m.

Henry P. Wehrenberg

Edward W. LaMar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, January 18, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LAMAR, M. G SCOTT
Ursula Miller

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Improvement Resolution No. 5784-77 for improving the sidewalk at 2019 Warsaw Street from the south line of first alley south of Lasselle Street, seventy-nine feet south.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Improvement Resolution No. 5789-77 for sidewalk repair - Lincolnshire Addition, Sections A and B.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Improvement Resolution No. 5761-77 for repairing and installing sidewalk involving certain lots in Southwood Park Addition Sections A, B, C, D, E, F, C Extended, F Amended; Westover Place Addition, Fairmont Place Addition, Fairmont Place Amended, Parkview Terrace Addition, Wiebke's Addition, Fairfield Heights Addition, Hoppes First Addition, Old Mill Road Addition and Old Mill Road Addition Extended.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

Meeting adjourned at 4:55 p.m.

Henry P. Wehrenberg

Edwin H. LaMar

Mary G Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, January 22, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Wednesday, January 17, 1979 at 9 a.m. and Thursday, January 18, 1979 at 3:30 P.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications:

Approved and permits issued.

7217 Bluffton Road (prkstrp)	- C.U. Water Maint.
2531 Clara	- "
211 E. Crown Lane	- "
1005, 1206, 1212 and 1215 Dawnan Dr.	- NIPSCO
Dwenger, E/Glasgow	- C.U. Water Maint.
301 E. Edgeknoll	- "
Ellen & Steup	- "
3511 Kirkland	- "
4435 Marvin (prkstrp)	- "
2134 Owaissa Way	- "
2627 Priscilla Lane (prkstrp)	- "
5812 Sandra Lee	- NIPSCO
1305 Sinclair	- Ralph Hayes Golden Rule
S.Bend & Covington Rd.	- C.U. Water Maint.
1109 W. Wayne	- "
1031 Rivermet (alley)	- NIPSCO
602 Calhoun	- "
6020 Goodfellow	- "
953 E. Berry	- "
114 W. Oakdale	- "
2418 Euclid	- "
4720 Fairfield	- "

4. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution 302-1978 for the construction of a sanitary sewer interceptor to extend sewage collection service to Kruge Place Addition, Savoie's Subdivision, Orchard Ridge Gardens Addition and surrounding space, which from its size and character is not only intended for use by property holders whose property abuts along the line of said sewer but for future extension of said main.

Continued to Monday, January 29, 1979 at 9:00 a.m.

5. AWARD CONTRACT: Received tabulation and recommendation prepared by the Street Light Engineering Department for Street Light Resolution No. 132-1978 for the installation of street lighting on Devonshire Drive from Maple Grove to Ashcroft.	AWARD to T & F Construction Co. at and for their bid in the amount of $6,593.60 subject to councilmanic approval. Ordered the Street Lighting Engineering Department to prepare contract.
6. "STATEMENTS OF QUALIFICATIONS" for consulting engineering services - Waste Water Collection Systems.	Continued to Monday, January 29, 1979 at 9 a.m.
7. Pursuant to report from the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-offs as per list submitted: Water - $$3,628.61 and Sewer - $2,488.80 (total $6,117.41).	Approved.
8. Received Agreement dated January 10, 1979 between State of Indiana and the City of Fort, Indiana, concerning cooperation in the preliminary engineering phase of work on ARDMORE - HILLEGAS CORRIDOR Project: M-F024 (1).	Approved. A true copy is incorporated herein.
9. Received invoice from City Utilities in the amount of $2,160.02 covering installation of new street lighting on Columbia Street Landing Project. (Res. 5796-77).	Approved and ordered paid from Revenue Sharing P.O. 03649.
10. Received invoice of Liechty and Associates, Inc. in the amount of $467.50 approved by the General Superintendent of City Utilities for repair of water lines at 3002 Hollendale Drive (Shordon Estates - Sec. III) New Haven, Indiana.	Approved and ordered paid by City Utilities from the Water Utility Fund.
11. Received invoice from Mike Axson - Marlin Jones in the amount of $10,823.60 approved by the Water Pollution Control Engineering Department in connection with Terry Lane - Rousseau OFF-SITE Sanitary Sewer, B.O. 176-78.	Approved and ordered paid by City Utilities from the Water Pollution Control Utility Fund.
12. Received invoice of Warning Lites of Indiana, Inc. in the amount of $31.00 approved by the Street Engineering Department for flash barricades on the Bluffton-Old Trail Road Project.	Approved and ordered paid from LRS Account 310-001.

13. Received partial invoice No. 12 of T & F Construction Corporation in the amount of $25,325.67 approved by the Street Lighting Engineering Department covering Street Light Resolution No. 125-77 - Central Business District Street Lighting and Traffic Signals. E.D.A. Project 06-51-26289.

Approved and ordered amount of $25,325.67 paid to T & F Const. Corp. by the City Controller.

Also, ordered T & F Const. Corp. Escrow Account at Indiana Bank & Trust Company paid the amount of $1,332.93.

Payments are to be made from the LPW II Fund.

14. Received inspection report from the Street Engineering Department and Maintenance Bond in the amount of $4,500.00 signed by Reliance Insurance Company for Woodshire Drive West from Northgate Blvd. (Riverview Care Center).

Approved.

Ordered acceptance letter written.

15. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade the alley entrance between Nussbaum and Elizabeth on Spy Run on Monday, January 22, 1979 thru Wednesday, January 24, 1979 at all times from 4:30 p.m. until 4:30 p.m.
PURPOSE: Repair of gas main.

Approved and permit issued.

16. Received a request from General Telephone Company, 525 Tecumseh, for permission to barricade the center lane of East Berry - approximately 80' East of Calhoun on Tuesday, January 23, 1979 from 9:00 a.m. to 3:00 p.m.
PURPOSE: Cable repair.

Approved and permit issued.

17. Received a request from Roger Caley, 814 West Superior, for permission to barricade the 814 West Superior sidewalk and curb on Wednesday, January 24, 1979 thru April 1, 1979 at which time permit must be renewed. Barricade is for duration of permit.
PURPOSE: Remodeling house - to pull truck over curbing and sidewalk.

Approved and permit issued.

18. Received Street Lighting Resolution No. 136-79 - Northwest Central Phase III Neighborhood Impact Area, final plans, estimate and specifications prepared by the Street Lighting Engineering Department.
(CITY PAID).
Area defined as: Huffman Street from Sherman Boulevard to Wells Street, Putnam Street from Sherman Boulevard to Wells Street, Andrew Street from Spring to Putnam Street, Meridian Street from Huffman Street to Putnam Street, Hensch Street from Huffman Street to Putnam Street, Short Street from Huffman Street to Putnam Street and Cortland Avenue from its southern terminus to Putnam Street.

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors January 26 and February 2, 1979.

Receive bids on Wednesday, February 7, 1979 at 9:00 a.m.

Ordered the Street Lighting Engineering Department to prepare bid documents.

Meeting adjourned at 10:50 a.m.

Henry P. Wehrenberg

Edward D. LaMay

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, January 24, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E.H. Lamar, M. G SCOTT
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. RECEIVE BIDS:

Street Lighting Resolution No. 134-78 - VICTORIA PARK AREA - for lighting Guild Drive from the north property line of Lots 128 and 139 Victoria Park Addition, Section 4 to its southern terminus, Derbyshire Drive from its northern terminus to the south property line of Lots 37 and 49, Victoria Park Addition, Section 2, Salisbury Drive from the north property line of Lot 115 Victoria Park Addition, Section 3,and the north right-of-way of Esser Drive to the south property line of Lots 51 and 82 Victoria Park Addition, Section 2, Asquith Drive from Derbyshire Drive to Salisbury Drive and Montford Drive from its western terminus to Derbyshire Drive.

N. G. GILBERT, INC. ------- $19,600.00

T & F CONST. CORP. -------- $14,069.80

Referred to the Street Lighting Engineering Department for tabulation and report.

AWARD CONTRACT on Monday, January 29, 1979 at 9:00 a.m.

4. RECEIVE BIDS:

Sewer Improvement Resolution No. 876-1978 for the construction of McKinley - Connett - Edwards Sanitary Sewer:

L. W. DAILEY, INC. ------ $288,598.75

T - G EXCAVATING, INC. ---$198,979.20

Referred to the Water Pollution Control Engineering Department for tabulation and report.

AWARD CONTRACT on Monday, January 29, 1979 at 9:00 a.m.

5. Received Sewer Resolution No. 305-78, final plans, estimate and specifications prepared by the Water Pollution Control Engineering Department for Tillman Park - Southtown Mall Pump Station Elimination Sanitary Sewer. (Sewer Easement 163-78)

Approved and adopted. A true copy is incorporated herein.

Advertise, Notice to Contractors, January 27, 1979 and February 3, 1979.

Receive bids on Wednesday, February 7, 1979 at 9:00 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

6. Received Sewer Easement No. 163-78, final plans and property ownership list prepared by the Water Pollution Control Engineering Department for Tillman Park - Southtown Mall Pump Station Elimination Sanitary Sewer - for the condemnation of Permanent and Temporary Sewer Easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Northeast Quarter of Section 35, Township 30 North, Range 12 East and the North Half of Section 36, Township 30 North, Range 12 East, bounded on the North by a line 140 ± ft. North of and parallel to the East-West centerline of the North Half of Section 36, Township 30 North, Range 12 East and its Westerly extension, bounded on the East by a line 100 ± feet East of and parallel to the North-South Centerline of said Section 36, Township 30 North, Range 12 East, bounded on the south by a line 800 ± feet South of and parallel to the East-West centerline of said Northwest Quarter Section 36 and its Westerly extension, bounded on the West by the Saint Mary's River. (Sewer 305-78).

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Property Owners, January 27, 1979 and February 3, 1979.

Hearing on Confirmation Thursday, February 22, 1979 at 3:30 p.m.

Mail notices February 3, 1979.

7. Received a petition to amend plat of BROADVIEW TERRACE EXTENDED SECTION I submitted by the City Plan Commission. Said plat recorded in Plat Record #40, Page 114, Recorder's Office of Allen County, Indiana.

Approved.

8. Received Resolution No. 67-27-8

Approved.

WHEREAS, the Board of Park Commissioners has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

Nelson Street from the north right-of-way of Jones Street, to the north right-of-way of the first east-west alley, lying south of Wilt Street. Total amount of vacation: 156 feet - located between Lot #10 and vacated alley of Jones Addition, and Lots 1, 2, 3 and 4 and vacated alley of City Subdivision.

9.	Received Water Contract No. 7824 prepared and approved by the Water Engineering Department between the Fort Wayne Water Utility and the Niemeyer Corporation for constructing water mains along Hessen Cassel Road from the north right of way line of Linden Drive southward to the south property line of lot #61 in Cassel Hills Addition.	Approved. Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8 p.m.
10.	Received Street Lighting Resolution 133-78 Contract, Guaranty and Liability Bonds of Schmidt Electric, Inc. in the amount $52,520.00 prepared by the Street Lighting Engineering Department signed by United States Fidelity and Guaranty Company for West Central Phase III.	Approved. Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.
11.	Received Water Contract 78-XP-1 prepared and approved by the Water Engineering Department between Engineering Sales Company and the Fort Wayne Water Utility for constructing water mains on Ardmore Avenue from a point 200 + LF south of Engle Road southward 220 ± LF; thence west 45 ± LF. providing for reimbursement to the City.	Approved. Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.
12.	Received WAIVER-OF-RIGHT to have Escrow Funds deposited in interest bearing account between Dailey Asphalt Products Company, Inc. and the City of Fort Wayne for Street Resurfacing Resolution No. 5816-78.	Approved.
13.	Received WAIVER-OF-RIGHT to have Escrow Funds deposited in interest bearing account between Dailey Asphalt Products Company, Inc. and the City of Fort Wayne for Street Resurfacing Resolution No. 5817-78.	Approved.
14.	Received WAIVER-OF-RIGHT to have Escrow Funds deposited in interest bearing account between Dailey Asphalt Products Company, Inc. and the City of Fort Wayne for Street Resurfacing Resolution No. 5823-78.	Approved.
15.	Received invoice of Brooks Construction Co., Inc. in the amount of $600.00 approved by the Street Engineering Department for work completed on Wells Street Project per Purchase Order No. 03559.	Approved and ordered paid from LRS Account #311-001.
16.	Received invoice of Bercot, Inc. in the amount of $79,150.00 approved by the Water Pollution Control Engineering Department covered by Emergency Flood Resolution No. 65-284-9 Deister Machine Company.	Approved. Ordered City Utilities to pay invoice as follows: $20,000 from P.O. 9992 $59,150 from P.O. 0275

17. Received invoice of Bercot, Inc. in the amount of $24,112.00 approved by the Water Engineering Department covering work on Water Contract 78-XP-2 on Lower Huntington Road from Ardmore to Orchard Ridge Country Club.	Approved and ordered paid by City Utilities from the Water Utility Fund.
18. Received invoice of North Eastern Construction Company, Inc. in the amount of $684.86 approved by the Water Engineering Department for material supplied for State Street 16" water main extension, phase I - Water Main Contract #7718.	Approved and ordered paid by City Utilities from the Water Utility Fund.
19. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of R. A. Plumbing, Inc. with Guaranty Bond in the amount of $950 signed by Reliance Insurance Company for Sanitary Sewer to serve General Telephone Credit Union Building - Parnell Park Office Building.	Approved and ordered acceptance letter written.
20. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Leininger Excavating, Inc. and Guaranty Bond in the amount of $5,000 signed by United States Fidelity & Guaranty for Sanitary Sewer for area South of Carroll Road and East of G.R. & I.	Approved. Ordered acceptance letter written.
21. Received inspection report from the Street Engineering Department and Completion Affidavit of North Eastern Construction Co., Inc. with Guaranty Bond in the amount of $38,530.00 signed by Insurance Company of North America for streets: Lancashire Court, Papermill Crossing, Frenchman's Crossing, Millbridge Court, Shorecrest Drive, Roaring Fork Run and Inland Trail all in PAPERMILL BLUFFS, SECTION I.	Approved. Ordered acceptance letter written.
22. Received a request from Weigand Construction Company (Don Kimes) 1523 Summer, for permission to barricade the sidewalk along the YMCA on Barr Street on Thursday, January 25, 1979 through Friday, February 23, 1979 at all times. PURPOSE: Demolition work to be done on the third floor - placement of dumpster on sidewalk.	Approved and permit issued.

Meeting adjourned at 11:10 a.m.

Henry P. Wehrenberg

Edward W. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula J. Miller

Secretary and Clerk

Thursday, January 25, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar
M. G Scott
Ursula Miller

1. Continued from January 11, 1979
HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 161-78 for the condemnation of a permanent and temporary easement for the purpose to construct, operate, control and maintain a sewer line along and across a portion of the South half of Section 28 and 29, Township 30 North, Range 12 East, and the North half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390 ± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235 ± feet East of the centerline of Ardmore Avenue, bounded on the South by a line 60 ± feet South of the centerline of Rurode Lane, bounded on the West by a line 995 ± feet West of the East line of the Northwest Quarter of Section 32.
(KRUGE PLACE ADDITION).
Sewer Res. 302-78.

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

2. Received recommendation from Cole-Mattot, Architects, ordering Anthony Wayne Bank and Trust Company to pay A. Hattersley & Sons, Inc. $16,297.50 from Escrow Account for project for the "Renovation of Old City Hall". EDA Project No. 06-51-26917. (MECHANICAL CONSTRUCTION).

Approved.

3. Received a request from General Telephone Company, 525 Tecumseh, for permission to barricade center lane of E. Berry - 130' East of Harmony Lane January 30 and 31, 1979 from 9 a.m. thru 3:00 p.m.
PURPOSE: Repair pressure leak in underground cable.

Approved and permit issued.

Meeting adjourned at 4:40 p.m.

Henry P. Wehrenberg

E. H. LaMar

M. G Scott

BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, January 29, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEhrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications. — Approved and permits issued.

7312 S. Anthony	C.U. Water Const.
2215 Broadway	R & A Plumb.
5718 Bluffton	C.U. Water Maint
1122 Burgess	"
S. Calhoun & Woodland	"
516 Elmer	"
2800 Fairfield	"
824 Home	"
3936 Indian Hills	"
1805 W. Main	"
Masterson & S. Clinton	"
1040 Walter	NIPSCO
3600 Mac Arthur	C.U. Water Const.
Lavern & Forest	"
2115 LaVern	"
417 Edgeknoll	"
503 Buchanan	NIPSCO
2626 Broadway	"
127 W Wayne	"
425 E. Masterson	"
7212 Baer Rd.	C.U. Water Maint.
3512 S. Barr	NIPSCO
6016 Beaumont	C. U. Water Maint.
2330 Bella Vista	"
1706 S. Calhoun	NIPSCO
Dubois / 2203 Chestnut	"
417 Edgeknoll	C.U. Water Maint.
1516 W. Fourth	"
2733 Hoagland	NIPSCO
Holton at Rudisill	C.U. Water Maint.
2115 Laverne	"
Laverne & Forest	"
1918 Maplewood	"
1931 Rivermet (alley)	NIPSCO
3506 Robinwood (alley)	"
929 E. Wayne	C.U. Water Maint.
423 W. Wildwood	NIPSCO
1022 Pinehurst	C.U. Water Maint
329 Brandriff	NIPSCO
3002 Reed	"

4. Continued from January 22, 1979
AWARD CONTRACT:

Sewer Improvement Resolution No. 302-78 for the construction of a sewer in and along Kruge Place Addition - Savoie's Subdivision Sanitary Sewer - Lower Huntington Road and Ardmore Avenue.

AWARD contract to Bercot, Inc. at and for their bid in the amount of $193,006.00 subject to councilmanic approval.

Ordered the Water Pollution Control Engineering Department to prepare the contract.

5. Continued from January 22, 1979

"STATEMENTS OF QUALIFICATIONS" for consulting engineering services - Waste Water Collection Systems.

Continued to Wednesday, February 7, 1979 at 9 a.m.

6. Received Final Assessment Roll prepared by the Street Engineering Department for Resolution No. 5761-77 - Southwood Park Addition, etc.

CONFIRMED.

Ordered $10,000 retained until punch list is completed.

Ordered sent to the Department of Finance.

7. Received Final Assessment Roll prepared by the Street Engineering Department for Resolution No. 5784-77 Sidewalk at 2019 Warsaw Street.

CONFIRMED.

Ordered sent to the Department of Finance.

8. Received Final Assessment Roll prepared by the Street Engineering Department for Resolution No. 5789-77 - Lincolnshire Addition.

CONFIRMED.

Ordered sent to the Department of Finance.

9. AWARD CONTRACT:

Sewer Improvement Resolution No. 876-78 for McKinley - Connett - Edwards Sanitary Sewer.

AWARD to T & G Excavating, Inc. at and for their bid in the amount of $198,979.20 subject to councilmanic approval.

Ordered the Water Pollution Control Engineering Department to prepare contract.

10. AWARD CONTRACT:

Street Lighting Resolution No. 134-78 for Victoria Park Addition Street Lighting.

AWARD contract to T & F Construction Corporation at and for their bid in the amount of $14,069.80 subject to councilmanic approval.

Ordered the Street Lighting Engineering Department to prepare the contract.

11. Received quotations from the Purchasing Agent for the purchase of one 6" Trash Pump for the Water Pollution Control Maintenance Department:

MacDonald Machinery Co., Inc. ---- $ 8,200.00

Stockberger Machinery, Inc. ------ $7,716.00

Korte Bros., Inc. ---------- $7,409.00

The bid of Korte Brothers, Inc. in the amount of $7,409.00 was accepted under Purchase Order No. 0822.

Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.

12. Received Sanitary Sewer Resolution No. 877-79, final plans, estimate, specifications and property ownership list, prepared by the Water Pollution Control Engineering Department for Wilkie's Addition Sanitary Sewer. (Sewer Easement Res. No. 165-79)

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Property Owners February 2 and 9, 1979.

Hearing on Confirmation Thursday, March 1, 1979 at 3:30 p.m.

Mail notices February 9, 1979.

13. Received Sewer Easement Resolution No. 165-79, final plans and property ownership list prepared by the Water Pollution Control Engineering Department for the condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right of way line of Wilkie Drive; bounded on the East by the West right of way line of North Bend Drive; bounded on the West by the West line of Wilkie s Addition Section B and its Northerly extension. (SEWER RES. NO 877-79)

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Property Owners February 2 and 9, 1979.

Hearing on Confirmation Thursday, March 1, 1979 at 3:30 p.m.

Mail notices February 9, 1979.

14. Received invoice #46 of Hagerman-Shambaugh (Joint Bidders) in the amount of $78,647.14 approved by HNT&B (H.B. Steeg Div.) for the period of November 24 1978 to December 29, 1978 for Water Quality Control Project - Division I - Water Pollution Control Plant Additions.

Approved and ordered City Utilities to pay invoice.

Also ordered the amount of $4,139.32 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank.

Payments are to be made from the Water Pollution Control Utility Fund.

15. Received Three Acceptance Agreements on Project No. 3263-43-00 EPA No. C-180538-01, Water Quality Control Project Partial Work Completed for the following as recommended by HNT&B - Henry B. Steeg & Associates Div. and accepted by Hagerman-Shambaugh (joint venture):
FOR NEW EQUIPMENT AND MATERIAL - DIVISION I:

1. New Roots 1250 Horsepower Blower and Motor, Unit #4, Spec. Item D11/8.
2. 300 Horsepower G. E. Blower Motor on Existing Old Blower #1, Spec Item D11/9.
3. 3 New 6" Dezurik Motor operated plug valves tag #Ea - 9, 10, 11 (Waste Sludge) Section D-12.

Approved.

1. Warranty date: Oct. 15, 1978.
2. Warranty date: Dec. 1, 1978.
3. Warranty date: March 1, 1978.

16. Received Agreement to Purchase Real Estate by City of Fort Wayne, Indiana, from P.P.R. Company located at 424 - 432 W. Superior Street for the amount of $11,750.00 for Wells Street Bridge Project. $300.00 check is to be given to tenant for moving expenses.

Approved.

Ordered checks in the amount of $11,750 and $300 be issued to P.P.R Company and Ricki A. Parker respectively.

Payments are to be made from LRS Account.

17. Received Waiver of right to have Escrow Funds deposited in interest bearing account by and between Wayne Asphalt and Construction Company and the City of Fort Wayne, Indiana, for Resurfacing Resolution No. 5820-78 - Broadway - Berry to Creighton

Approved.

18. Received invoice from City Utilities in the amount of $222.00 for the installation of new street lighting on Tillman Road, Anthony Boulevard and Eastland Gardens. This work was performed by T & F Construction Corporation.

Approved and ordered paid from LRS Account.

19. Received invoice #13 of A. Hattersley & Sons, Inc. in the amount of $500.00 approved by Cole-Matott Architects, covering mechanical construction on "Old City Hall" renovation.

Ordered City Controller to pay invoice from the LPW II Fund. (FINAL PAYMENT).

20. Received invoice of EcolSciences, Inc. in the amount of $6,960.00 approved by the Water Pollution Control Engineering Department covering Fort Wayne CSO - Plan of Study ES #01-125. Contract No. 78-14-300-01-1. SSES Grant C-180775-01. (FINAL PAYMENT).

Approved and ordered City Utilities to pay invoice (FINAL) from the Water Pollution Control Utility Fund.

Meeting adjourned at 10:20 a.m.

Henry P. Blackmore

Edward W. Palmer

BOARD OF PUBLIC WORKS

ATTEST

Ursula Miller

Secretary and Clerk

Wednesday, January 31, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar
Ursula Miller

Received Minutes of meeting held on Monday, January 29, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilties.

Approved and ordered sent to the Department of Finance.

3. Received Street Cut applications:

Approved and permit issued.

Reque /953 E. Berry	NIPSCO
3010 Broadripple	"
2626 Broadway	"
124 W. Butler	"
4140 Coldwater	"
4018 Dalewood	"
7112 Decatur Rd.	"
2418 Euclid	"
Along Euclid south from Oxford and across 3712, 3716 and 3720 Central	"
4720 Fairfield	"
6020 Goodfellow	"
(alley) 114 W. Oakdale	"
1022 Pinehurst (prkstrp)	C.U. Water Maint.
3717 Schele	NIPSCO
E. State intersec. Tonawanda	"
1340 Westover Rd.	"
3002 Reed St	"
329 Brandriff	"
2502 Hanna	"
444 Arcadia	"
420 E DeWald	"
1401 Lillie	"
1501 Andrews	"
1022 Pinehurst	C.U. Water Maint.
Decatur Rd. at Southview	"
4136 Robinwood	"
4410 Dodge (prkstrp)	"

4. Received Assessment Roll of Benefits and Damages prepared by the Water Pollution Control Engineering Department Sewer Easement Resolution No. 159-79 for McKinley - Connett - Edwards Area Sewer as AMENDED (SEWER RES. NO. 876-78)

5. Received a request from American Heart Association (Smoky Montgomery) 1623 Wells Street, for permission to barricade the sidewalk at corner of Berry and Clinton (in front of Anthony Wayne Bank) on Friday, February 2, 1979 thru Monday, February 5, 1979 at all times.
PURPOSE: Placing a 4' x 6' trailer on sidewalk.

Approved and permit issued.

6. Received a request from Bishop Luers, Rev. Camillus, 333 E. Paulding Road, for permission to barricade Doan from Knoll to Calhoun and Knoll from Paulding to Doan on Saturday, February 3, 1979 from 7:00 a.m. till 4:00 p.m.
PURPOSE: NISBOVA Music Contest.

Approved and permit issued.

7. Received a request from Bishop Luers, Rev. Camillus, 333 E. Paulding Road, for permission to barricade Doan from Knoll to Calhoun and Knoll from Paulding to Doan on Saturday, February 24, 1979 from 7:00 a.m. till 11:00 p.m.
PURPOSE: Swing Choir Contest.

Approved and permit issued.

8. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of D & P Plumbing, Inc. with Guaranty Bond in the amount of $1,250.00 signed by American States Insurance Company for McDonalds Sanitary Sewer - 1103 Goshen Road.

Approved.

Ordered acceptance letter written.

9. Received quotations from the Purchasing Agent for the proposed purchase of Rubberized Asphalt Kettle, Oil Jacketed Type and optional additions for the Fort Wayne Street Department:

Rubberized Asphalt Kettle, Oil Jacketed Type only:

SOMERS EQUIPMENT CO. -------- $8,785.00
SEASTROM, INC. ---------- $8,650.00
MacDONALD MACHINERY --------- $9,335.00
HITE EQUIPMENT REPAIR ------- $6,860.00
KORTE BROS., INC. ---------- $8,216.00
STOCKBERGER MACHINERY ------- $9,505.00

The bid of Hite Equipment Repair, Inc. was accepted for the TOTAL AMOUNT OF $7,541.25 ($6,860.00 plus $681.25 for optional additions) under Purchase Order NO. 4-05861, dated January 29, 1979.

Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.

10. Received invoice of Martin, Inc. in the amount of $6,950.00 approved by the Street Engineering Department for Improvement Resolution No. 5822-78 for demolishing buildings at 324 E. Berry Street.

Approved and ordered paid from Encumbered Fund Account 45-661-711.

11. Received invoice from City Controller (Barrett Law Department) in the amount of $648.96 covering balance of City cost on Improvement Resolution No. 5789-77 - Lincolnshire Addition.

Ordered paid out of Encumbered MVH Fund under Purchase Order No. 03615.

12. Received Water Contract No. 79-XP-1, final plans and specifications prepared by the Water Engineering Department for furnishing all materials, labor, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary to install 365± feet of 12" water main on Getz Road across West Jefferson Boulevard.

Approved.

Ordered Notice to Contractors on February 9 and 16, 1979 advertised.

Receive bids on Wednesday, February 28, 1979 at 9:00 a.m.

Ordered Water Engineering Department to prepare bid documents.

Meeting adjourned at 11:20 a.m.

Henry P. Wehrenberg

Edward N. LaMar

Mary G. Abbott

ATTEST:

Ursula Miller
Secretary and Clerk

Thursday, February 1, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

1. HEARING ON CONFIRMATION

Alley Resolution No. 5825-78 for improving the alley running between Wildwood Avenue and Cottage Avenue from the east property line of Indiana Avenue to the west property line of South Wayne Avenue by draining, grading and paving the alley to a uniform width of twelve feet with 7" plain concrete.

Continued to Thursday, February 15 1979 at 3:30 p.m.

Time up to receive remonstrance Monday, February 12 1979 at 5:00 p.m.

Meeting adjourned at 4:20 p.m.

Henry P. Wehrenberg
E. H. W. LaMar
Mary G Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Monday, February 5, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications:

Approved and permits issued.

1505 Andrews	-	NIPSCO
4733 Beaver (prkstrp)	-	C.U. WATER MAINT.
Berry & VanBuren	-	GEN. TEL.
7500 Blk. of Bradbury	-	"
602 S. Calhoun	-	NIPSCO
1811 Chantada	-	"
Decatur Rd. & Southview	-	C.U. WATER MAINT.
929 W. Dewald	-	"
4410 Dodge	-	"
1804 Dubois	-	NIPSCO
654 W. Fourth	-	C.U. WATER MAINT.
922 E. Jefferson	-	"
2504 John	-	NIPSCO
2220 Lakeview	-	C.U. WATER MAINT.
3400 & 3500 McArthur Dr.	-	"
1312 Maumee (alley)	-	NIPSCO
1330 Putnam	-	C.U. WATER MAINT.
4136 Robinwood	-	"
910 W. Rudisill	-	"
4405 Tacoma	-	"
N. parkstrip of Vermont west of Anthony	-	GEN. TELE.
734 W. Wayne (alley)	-	NIPSCO
405 Dalgren	-	"
1500 Blk. Kitch	-	C.U. WATER MAINT.
Eastwood at Hobson	-	"
5720 S. Calhoun	-	"
Center lane E. Berry 130' E. of Harmony Lane	-	GEN. TEL.

4. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department, for Sewer Easement Resolution No. 161-78 for Kruge Place Addition. (SEWER RES. NO. 302-78).

Approved and Board finds that the amount of damages to each property listed on said Roll are equal to the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served on February 16, 1979.

Hearing on Confirmation of Assessment Roll Thursday, March 1, 1979 at 3:30 p.m.

5. A request from General Telephone Company, 525 Tecumseh, for permission to barricade the north parking lane of West Berry Street at Van Buren on Friday, February 2, 1979 from 9:00 a.m. to 3:00 p.m. was received. PURPOSE: Terminating a duct for city signal.	Approved and permit issued.
6. A request was received from NIPSCO, 1501 Hale Avenue, for permission to barricade the alley between Webster and Harrison and West Washington and West Jefferson - the first North/South alley west of Harrision on Monday, February 5, 1979 thru Monday, February 19, 1979 at all times. PURPOSE: Installing new main.	Approved and permit issued.
7. Pursuant to receipt of consent of Citizens Cable of Fort Wayne, Inc. to the granting of franchises to Citizens Cable of Allen County, Inc. the Board of Public Works hereby grants a non-exclusive franchise to provide cable television service for the annexed area known as Canterbury Green and Shoaff Park River Estates to Citizens Cable of Allen County, Inc. all as provided in General Ordinance G-03-79.	Approved. A true copy is incorporated here
8. Received a quotation from the Purchasing Agent for the proposed purchase of one 1979 Mid-size station wagon for the Office Services Department: ALLEN COUNTY MOTORS, INC. -------- $4,685.70	The only bid was accepted under Purchase Order No. 0824 in the amount of $4,685.70. Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.
9. Received a petition for the replacement of curbs on the residential sides of Forest Park Boulevard from East State to Dodge Avenue.	Approved. Ordered the Street Engineering Department to investigate and report. Board Order No. 8 - 79 issued.
10. Received invoice #7 of Spears-Dehner, Inc. in the amount of $13,615.29 prepared and approved by the Water Pollution Control Engineering Department covered by Sewer Resolution No 298-77 Rothman-Maplecrest Roads Sanitary Sewer Intercentor Phase II.	Aporoved invoice #6 of Spears-Dehner, Inc. paid by City Utilities in the amount of $13,615.29 Also ordered $1,512.81 paid to the Escrow Account of Spears-Dehner, Inc. at Lincoln National Bank & Trust Company. Payments are to be made from the Water Pollution Control Utility Fund.

Meeting adjourned at 11:05 a.m.

Henry P. Wehenkel

Ethel W. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST

Ursula Miller

Secretary and Clerk

Wednesday, February 7, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Wednesday, January 31, 1979 at 9 a.m.; Thursday, February 1, 1979 at 3:30 p.m. and Monday, February 5, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilties. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications: — Approved and permit issued.

Center lane of W. Berry 40' W. of Calhoun St.	Gen. Tele.
5720 S. Calhoun	C.U. Water Maint.
115 E. Crown Lane (prkstrp)	"
Eastwood & Hobson	"
5330 Glenridge	"
2300 Hazelwood	"
5313 Hoagland	"
1500 Blk. Kitch	"
4800 Blk. Lillie	"
Reed. St. 50' So. of Greene St.	Gen. Tele.
3706 South Park	C.U. Water Maint
3710 South Park (prkstrp)	"
(alley) 203 W. Washington	NIPSCO.
3104 Winslow Pl.	C.U. Water Maint.
2502 Barnhart (prkstrp)	"
4938 Forest (prkstrp)	"
1205 Wildwood	"
1829 Hoagland	NIPSCO
718 W. Wayne (alley)	"
601 W. Wayne	"
6065 Inwood	"
1517 Ardmore	"
3602 Avondale (alley)	"
3026 S. Calhoun (alley)	"
2502 Winter St.(alley)	"
4631 Old Mill Road.	"

4. RECEIVE BIDS:

Street Lighting Improvement Resolution No. 136-79 for the installation of lighting in Northwest Central Phase III:

Referred to the Street Lighting Engineering Department for tabulation and report.

Award contract on Monday, February 12, 1979 at 9 a.m.

N. G. GILBERT	$43,715.00
SCHMIDT ELEC. CO.	34,403.00
T & F CONST. CO.	33,780.50

5. RECEIVE BIDS:

Sewer Improvement Resolution NO. 305-78 for the construction of a sewer in and along Tillman Park - Southtown Mall Pump Station Elimination Sanitary Sewer:

BERCOT, INC. ----------	$185,625.00
L. W. DAILEY, INC.------	192,828.50
JOHN DEHNER, INC.-------	206,393.10
LAND CONST. CO.---------	163,852.50
GROUND SERVICES, INC.---	175,315.00
NOBIS CONST. CO. -------	189,875.00
T - G EXCAVATING, INC.--	183,724.75

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award contract on Monday, February 26, 1979 at 9 a.m.

6. Continued from January 29, 1979:
STATEMENTS OF QUALIFICATIONS:

Received recommendation of Special Committee formed to select from among those Consultant Engineers who submitted "Statements of Qualifications" a minimum of three to whom "Invitations for Proposals" will be issued.

Approved Committee selection of following five:

1. Clark, Dietz & Associates of Urbana, Illinois.
2. Malcolm, Pirnie, Inc. of Columbus, Ohio.
3. Reid, Quebe, Allison, Wilson Assoc., Inc. of Indianapolis.
4. Henry B. Steeg & Assoc. of Indianapolis, Indiana.
5. Clyde E. Williams & Assoc. of Indianapolis, Indiana.

Ordered the Water Pollution Control Engineer to prepare Solicitation Documents for the "Invitations for Proposals".

7. Received plat of Shordon Estates, Section IV submitted and approved by the City Plan Commission.

Approved.

8. RESOLUTION NO. 67-42-8

WHEREAS, Ronald P. and Nancy E. Jasper have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

The portion of the alley running North and South between Covington Road and Whitmore Street, which abuts Lots 8, 9 and 10 on the East and Lots 11, 12 and 13 on the West in Park's Addition, Section 15, Township 30 North, Range 12 East, Allen County, Indiana, except that part of said alley which is adjacent to the North twelve feet of Lots 8 on the East and the North twelve feet of Lot 13 on the West.

Approved.

9. Received Contract, Guaranty and Liability Bonds of Dailey Asphalt Products Company, Inc. in the amount of $96,920.05 prepared by the Street Engineering Department signed by St. Paul Fire & Marine Insurance Company for Resolution No. 5823-78 for resurfacing Decatur Road from the east pavement line of Lafayette Street to the north curb line of Tillman Road.

Approved and ordered sent to the Common Council on Tuesday, February 27, 1979 at 8:00 p.m.

10. Received quotations from the Purchasing Agent for the proposed purchase of Butterfly Valves and Duo Solid Sleeves for the Water Maintenance & Service Department:

UNDERGROUND PIPE & VALVE, INC. ---$ 6,286.00

TREATY COMPANY ----------$ 6,592.98

KENNEDY VALVE MFG. CO. ---------- incomplete bid

AMERICAN DARLING ---------- incomplete bid

The bid of Underground Pipe & Valve, Inc. was accepted in the amount of $6,286.00 under Purchase Order No. 0835.

Ordered sent to the Common Council on Tuesday, February 13, 1979 at 8:00 p.m.

11. Received invoice No. 2 of Dailey Asphalt Products Company, in the amount of $88,555.27, prepared and approved by the Street Engineering Department covered by Resolution No. 5807-1978 for resurfacing streets in 5th and 6th Districts.

Approved and ordered paid from Revenue Sharing Account No. 34-450-200.

12. Received invoice No. 2 of Dailey Asphalt Proudcts Company in the amount of $120,883.66 prepared and approved by the Street Engineering Department covered by Resolution No. 5805-78 for resurfacing streets in the 1st and 2nd Councilmanic Districts.

Approved and ordered paid from Revenue Sharing Account No. 34-450-200.

13. Received invoice No. 71-01-310-01-0-86 of HNT & B (Steeg Division) in the amount of $1,107.27 approved by the General Superintendent of City Utilities for General Engineering - Water Quality Control Project - Division I - Water Pollution Control Plant Additions - Federal Project No. C-180538-01.

Approved and ordered paid by City Utilities from the Water Pollution Control Utility Fund.

14. Received Plans and Specifications for additional repair work required under Emergency Flood Resolution No. 65-308-4 for Flood Damage Repair of the Water Pollution Control Storage Ponds.

Approved.

Advertise Notice to Contractors February 9 and 16, 1979.

Receive bids on Wednesday, February 28, 1979 at 9 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

Meeting adjourned at 11:00 a.m.

Henry P. Wiesenberg

Edward W. LaMar

ATTEST:

BOARD OF PUBLIC WORKS

Secretary and Clerk

Thursday, February 8, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LAMAR, M. G SCOTT
Ursula Miller

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Street Lighting Resolution No. 131-1978 for the installation of ornamental street lighting in Lakewood Park defined as: Interlaken Drive from Bluffton Road to Donna Drive, Fairoak Drive from the southwest property line of Lot 42, Wm. May Addition Section "B", to Donna Drive, Lakewood Drive from Donna Drive to Reserve Line Road, Maywood Circle to its northern terminus.

The Board determined the benefits as indicated.

Ordered the Street Lighting Engineering Department to prepare the Final Assessment Roll.

2. Received a request from Water Pollution Control Maintenance Department (John Moran) 445 E. Wallace Street, for permission to barricade the 5300 block of North Camden Drive on Thursday, February 8, 1979 until emergency repair is completed. Time of barricade is at all times.
PURPOSE: Sewer repair.

Approved and permit issued.

3. Received a request from Indiana & Michigan Electric Co. (Jim Komanec) 2101 Spy Run, for permission to barricade alley from Clay and Monroe, between Wayne and Washington on Monday, February 12, 1979 from 8:00 a.m. till 4:00 p.m.
PURPOSE: Metering.

Approved and permit issued.

Meeting adjourned at 4:00 p.m.

Henry P. Wehrenberg
E. H. LaMar
M. G. Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, February 12, 1979

Department of Public Works
Office of the Board
Room 910, City County-Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar
M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Wednesday, February 7, 1979 at 9 a.m. and
Thursday, February 8, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications:

Approved and permits issued.

1517 Ardmore Ave.	---------- NIPSCO
915 Aulesford	--- "
2502 Barnhart (parkstrip)	--- C.U. Water Maint.
2126 Chochtimar Trail	--NIPSCO
Colerick /2945 Smith	-- "
4938 Forest (prkstrp)	--C.U. Water Maint.
6207 Goodfellow	--NIPSCO
2316 Hazelwood (prkstrp)	--C.U. Water Maint.
1118 Oak (alley)	--NIPSCO
409 E. Pontiac	--- NIPSCO
3209 Rodgers	--- "
1018 Tennessee	--- "
237' along 3800 Blk. of Wells	--- "
1205 Wildwood	--- C.U. Water Maint.
5401 Stony Run (prkstrp)	--- "
4509 S. Wayne (prkstrp)	--- NIPSCO
4514 Gaywood	--- "
Buchanan & Gav	--- "
1900 Curdes	--- C.U. Water Maint.
620 E. Jefferson	--- "
3313 L. Huntington Rd.	--- "
1015 Capital	--- "
3200 L. Huntington Rd.	--- "

4. Received tabulation and recommendation prepared by the Street Lighting Engineering Department for Street Lighting Resolution No. 136-79 - Northwest Central Phase III.

Award contract to T & F Const. Company at and for their amount of bid of $33,780.50 subject to councilmanic approval.

Ordered the Street Lighting Engineering Department to prepare contract and necessary documents.

5. Received quotation from the Purchasing Agent for the proposed purchase of Mercury T & C Lens for the City Street Lighting Department:

GENERAL ELECTRIC COMPANY ------- $2,232.00

The bid was accepted under Purchase Order No. 0870 for General Electric Company in the amount of $2,232.00.

Ordered sent to the Common Council on Tuesday, February 27, 1979 at 8:00 p.m.

6. Received quotation from the Purchasing Agent for the proposed purchase of material for the Three Rivers Filtration Plant:

   WALKER PROCESS DIV. of
   CHICAGO BRIDGE & IRON CO. ---$8,073.70

The bid of Walker Process Division of Chicago Bridge & Iron Company was accepted under Purchase Order No. 0871 in the amount of $8,073.70.

Ordered sent to the Common Council on Tuesday, February 27, 1979 at 8 p.m.

7. Received Sewer Resolution No. 304-78, final plans, estimate and specifications prepared by the Water Pollution Control Engineering Department for the construction of a sanitary sewer interceptor to extend sewage collection service to Crestholme Amd. Addition and part of Hartman's Outlots, which from its size and character is not only intended for use by property owners whose property abuts along the line of said sewer but for future extension of said main. Known as COVINGTON ROAD - ARDMORE ROAD Sanitary Sewer Extension.
(CITY PAID).

Approved and adopted. A true copy of which Resolution No. 304-78 is incorporated herein.

Advertise Notice to Contractors February 16 and 23, 1979.

Receive bids on Wednesday, February 28, 1979 at 9:00 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

8. Received Sewer Easement Resolution No. 162-78, final plans, estimate, specifications and property ownership list, prepared by the Water Pollution Control Engineering Department for the condemnation of Permanent and Temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southwest Quarter of Section 8, Township 30 North, Range 12 East and the Southwest Quarter of Section 9, Township 30 North, Range 12 East, bounded on the North by Taylor Street, bounded on the South by Covington Road, bounded on the East by Elyetta Street, bounded on the West by Country Club Road.
(SEWER RESOLUTION NO. 304-78).

Aporoved and adopted. A true copy of which Resolution No. 162-78 is incorporated herein.

Advertise Notice to Property Owners February 16 and 23, 1979.

Hearing on Confirmation Thursday March 8, 1979 at 3:30 p.m.

Mail notices February 23, 1979.

9. Received quotations from the Purchasing Agent for the proposed rental of uniforms for City Utilities and Street Department:

   MEANS SERVICE CENTER ---------- $77,550.00

   MID-WEST TOWEL ---------- $44,062.50

   MECHANICS LAUNDRY ---------- $33,135.00

   CHAS. TODD, INC. ---------- $34,460.40

The bid of Mechanics Laundry & Inc. was accepted under Purchase Order No. 0881 in the amount of $34,460.40.

Ordered sent to the Common Council on Tuesday, February 27, 1979 at 8:00 p.m.

10. Received executed agreement between City of Fort Wayne and Consolidated Rail Corporation for grade crossing and protective devices for Fernhill Avenue Extended, Fourth Street Branch. Agreement dated January 31, 1979.

Approved. Ordered Street Engineer to notify Contrail to proceed in accordance with plans and specifications.

A true copy is incorporated herein.

11. Received Agreement to purchase real estate by Arene and Geraldine Easter from the City of Fort Wayne described as follows: Purchase price - $125.00.

Lot 80 McCulloch's 2nd Addition to the City of Fort Wayne, Indiana, known as 1426 Hayden Street.

Approved and ordered sent to the Common Council on Tuesday, February 27, 1979 at 8:00 p.m.

12. Received invoice #6 of Shambaugh & Son, Inc. in the amount of $7,471.80 prepared by Martindale, Tourney & Gibson, Architects, for mechanical construction on Humane Shelter EDA #06-51-26280.

Approved and ordered paid from LPW-II Funds by the City Controller.

13. Received invoice #6 of Havel Bros., Inc. in the amount of $1,167.00 prepared and approved by Martindale, Tourney & Gibson, Architects, covering electrical work on Humane Shelter. #06-51-26280 EDA.

Approved and ordered the City Controller to pay invoice from LPW -II.

14. Received invoice #9 of Weigand Construction Company, Inc. in the amount of $27,222.00 prepared and approved by Martindale, Tourney & Givson, Architects, covering general construction on Humane Shelter. EDA 06-51-26280.

Approved and ordered the City Controller to pay invoice from LPW-II.

15. Received invoice #13 of Shambaugh & Son, Inc. in the amount of $8,688.00 prepared and approved by the Cole - Matott, Architects, covering electrical construction for restoration of "Old City Hall". EDA 06-51-26917.

Approved and ordered paid by City Controller from LPW-II.

16. Received Claim Voucher of Indiana State Highway Commission in the amount of $5,690.54 approved by the Street Engineering Department on Urban Federal Aid Project No. M-7061 (1) Improvement of Washington Center Road in accordance with agreement between the State of Indiana and the City of Fort Wayne dated July 24, 1975. (FINAL PAYMENT).

Approved and ordered paid from LRS Account #301 Funds.

17. Received a request from Gertrude Webster, Basement - City-County Bldg., for permission to sell miniature white canes in downtown area beginning Monday, April 16, 1979 thru Monday, April 30, 1979. PURPOSE: Emergency aid for the needy blind.

Approved and permit issued.

18. Received invoice #7 of Martindale, Tourney, Gibson, Inc. Architects, in the amount of $564.45 for architectural services per agreement dated November 3, 1976 in connection with remodeling and addition to the Humane Shelter.

Approved and ordered paid from Revenue Sharing Account.

Meeting adjourned at 10:55 a.m.

Ethel N. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, February 14, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway application: — Approved and permit issued.

4830 N. Clinton ----------Brooks Const.

4. Received street cut applications: — Approved and permits issued.

444 Arcadia Ct.	----------	NIPSCO
329 Bradriff	---	"
530 Buchanan	---	"
3026 S. Calhoun (alley)	---	"
705 Canal	---	J & G Water & Sewer
1015 Capitol (3)	---	C.U. Water Maint.
3900 N. Clinton	---	"
Clinton St. 135' north of Pennsylvania	---	Ind. & Mich.
Colerick / 3002 Reed	---	NIPSCO
1925 E. Creighton	---	"
1900 Curdes	---	C.U. Water Maint.
405 Dalgren	---	NIPSCO
420 E. Dewald (alley)	---	"
1706 Fairfield	---	"
5640 Fernwood (prkstrp)	---	C.U. Water Main
2502 S. Hanna	---	NIPSCO
1823 S. Harrision	---	"
408 S. Harrison	---	J & G Water & Sewer
900 Blk. Hayden	---	V.U. Water Maint.
2610 Hoagland	---	NIPSCO
5315 Hoagland	---	"
1829 Hoagland	---	"
3200 L. Huntington Rd.	---	C.U. Water Maint.
3313 L. Huntington Rd.	---	"
620 E. Jefferson	---	"
2811 Kelmar /Allendale	---	"
5911 Kent Rd.	---	NIPSCO
1401 Lillie	---	"
611 Madison (alley)	---	"
623 Madison (alley)	---	"
425 E. Masterson	---	"
1326 Maumée (alley)	---	"
Monroe / 601 E. Wayne	---	"
4631 Old Mill Road	---	"
604 Poplar	---	"
2309 Rehm	---	"
401 W. Superior	---	J & G Water & Sewer
734 W. Wayne (alley)	---	NIPSCO
718 W. Wayne (alley)	---	"
Winter & Rudisill	---	C.U. Water Maint.
2502 Winter (alley)	---	NIPSCO
Eby & Paul / Eby	---	C.U. Water Maint.
150' E. Cherry - N/W. Main	---	Gen. Tel.
1508 E. Wayne		NIPSCO

5. Received invoice from Allen County Highway Department for payment of $324.00 to Treasurer of Allen County per agreement dated December 3, 1974 with Butler, Fairman & Seufert, Inc. for environmental work on the Ewing-Wells Street Bridge Project. Payment is 10% - City's Share participation.

Approved and ordered paid from LR & S - Account 307-001.

6. Received two invoices from Allen County Highway Department for payment of $5,451.01 (City's 59% participation) to Treasurer of Allen County per agreement dated July 28, 1970 and amended September 11, 1974 with Butler, Fairman & Seufert, Inc. for preliminary engineering - reconstruction of St. Joe Road from S.R. 37 to Evard Road from June 17, 1978 to October 1, 1978 and October 1, 1978 to January 19, 1979. Project: Reconstruction of St. Joe Road (S.R. #37 to Evard Road).

Approved and ordered paid from LR & S Fund.

7. Received invoice No. 70-10-210-01-1-05 of McNamee Porter and Seeley, Consulting Engineers, in the amount of $1,769.87 approved by the City Utilities General Superintendent for engineering services for Filtration Plant Expansion. Contract dated December 7, 1970 and amended on March 30, 1977 for Water Works Improvements. Water contract No. 77-W-2.

Approved and ordered City Utilities to pay invoice from the Water Utility Fund.

8. Received quotation from the Purchasing Agent for the proposed purchase of 2" regular Standard Register Piston Meters - ten each (10) for the Water Maintenance & Service Department for maintenance purposes:

ROCKWELL INTERNATIONAL ---------- $2,180.00

The bid of Rockwell International was accepted under Purchase Order No. 0842.

Ordered sent to the Common Council on Tuesday, February 27, 1979 at 8:00 p.m.

Meeting adjourned at 11:05 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Thursday, February 15, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. Lamar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, February 12, 1979 at 9 a.m. and Wednesday, February 14, 1979 at 9 a.m.

1. Continued from February 1, 1979
HEARING ON CONFIRMATION:

Alley Resolution No. 5825-78 for improving the alley running between Wildwood Avenue and Cottage Avenue from the east property line of Indiana Avenue to the west property line of South Wayne Avenue by draining, grading and paving the alley to a uniform width of twelve feet with 7" plain concrete.

Remonstrance received after being tabulated by the Street Engineering Department contains 28 out of 41, or 68% of the resident property owners.

RESCIND ALL ACTION.

Meeting adjourned at 3:33 p.m.

Henry P. Wehrenberg

Mark G Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Thursday, February 22, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, SEcretary and Clerk

H. P. Wehrenberg, M. G Scott
Ursula Miller

1. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 163-78 for the condemnation of Permanent and Temporary Sewer Easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Northeast Quarter of Section 35, Township 30 North, Range 12 East and the North half of Section 36, Township 30 North, Range 12 East, bounded on the North by a line 140 + feet North of and parallel to the East-West centerline of the North half of Section 36, Township 30 North, Range 12 East and its Westerly extension, bounded on the East by a line 100 + feet East of and parallel to the North-South centerline of said Section 36, Township 30 North, Range 12 East, bounded on the South by a line 800 + feet South of and parallel to the East-West centerline of said Northwest Quarter Section 36 and its Westerly extension, bounded on the West by the Saint Mary's River. (TILLMAN PARK - SOUTHTOWN MALL PUMP STATION ELIM. SANITARY SEWER - RES. 305-78).

Continued to March 8, 1979 at 3:30 p.m.

Remonstrance filed.

2 HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 159-78 AMENDED for the condemnation of a Permanent and Temporary Easement for the purposes to construct a sewer line along and across a portion of the Northeast Quarter Section 16, Township 30 North, Range 12 East; bounded on the North by Covington Road; bounded on the East by McKinley Avenue; bounded on the South by Nuttman Avenue; bounded on the West by Norfolk and Western Railway Company. (McKINLEY - CONNETT - EDWARDS SANITARY SEWER RES. 876-78)

The Board determined the benefits a indicated.

Ordered the Water Pollution Contr Engineering Department to prepar Final Assessment Roll of Benefi and Damages.

Remonstrance filed.

3. Received Final Assessment Roll prepared by the Street Lighting Engineering Department for Street Lighting Resolution No. 131-78 for the construction of ornamental street lighting system with underground wiring in the Lakewood Addition.

CONFIRMED.

Ordered sent to the Department of Finance.

4. Received Acceptance from Citizens Cable of Allen County, Inc. of all terms and conditions of non-exclusive franchise for Cable Communications System as provided in Ordinances G-27-77 and G-03-79.

Approved.

A true copy is incorporated herein.

5. Received invoice of John Dehner, Inc. in the amount of $295.00 for furnishing crane to clean ditch for Flood Emergency on Bluffton Road in 1978.

Approved and ordered City Utilities pay invoice.

Ordered City Utilities General Superintendent to seek reimbursement from DSR.

6. Received invoice No. 71-02-310-01-05 of HNT&B (Steeg Division) for professional engineering Services performed in connection with WPC Plant Expansion Project Electrical Inspection in accordance with Supplement 1.A of our Agreement dated April 27, 1971. Authorization to Proceed dated July 14, 1978. Billing in accordance with Supplement 2. Services rendered for the period of November 25, 1978 through January 19, 1979. Invoice amount: $6,482.01.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

7. Received invoice of John Dehner, Inc. in the amount of $3,504.75 approved by the Street Engineering Department for paving of triangular section in front of Mike's Car Wash at 5410 S. Anthony.

Approved and ordered paid from Purchase Order No. 4-05232.

8. Invitational bids were received by the Street Engineering Department covering removal and replacement of brick street at the Southwest corner of Fourth and Barthold Streets:

HIPSKIND CONCRETE CORP.---	$2,198.80
CARRINGTON & ASSOC. ------	2,298.16
SPEARS-DEHNER,INC. -------	4,519.50

Approved bid of Hipskind Concrete Corp. in the amount of $2,198.80. Payment is to be made from the MVH Funds under Purchase Order #03695.

9. Received invoice from Bercot, Inc. in the amount of $420.00 approved by the Water Pollution Control Engineering Department covering proctor tests and soil inspection performed by MIT Inc. on Sewer Resolution No. 300-77 - Washington Center Road Lift Station Elimination, Phase I.

Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

10. Pursuant to report from the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-Offs as per list submitted: Water --- $1,467.36, Sewer --- $1,138.97 (total $2,606.33).

Approved.

11. Received quotations from the Purchasing Agent for the proposed purchase of one (1) two door - four wheel drive vehicle for the Technical Service Department:

ALLEN COUNTY MOTORS --------- $8,614.75

HEFNER CHEVROLET ---------- $8,739.52

GLENBROOK DODGE, INC. ------- $7,834.69

The bid of Glenbrook Dodge, Inc. was accepted under Purchase Order No. 0893 in the amount of $7,834.69.

Ordered sent to the Common Council on Tuesday, March 13, 1979 at 8:00 p.m.

12. Received quotation from the Purchasing Agent for the proposed purchase of one (1) 1979 Van Type Truck for the Water Maintenance & Service Department:

DEHAVEN CHEVROLET, INC. -------- $10,460.92

The bid of DeHaven Chevrolet, Inc was accepted under Purchase Order No. 0886 in the amount of $10,460.92.

Ordered sent to the Common Council on Tuesday, March 13, 1979 at 8:00 p.m.

13. Received Agreement to Purchase Real Estate from the City of Fort Wayne, Indiana, by McMahon Paper Company, Inc. for the proposed purchase of the following described real estate: Lot 5 Lanterniers Sub to the City of Fort Wayne, Allen County, Indiana, known as 1818 So. Anthony Boulevard, for the amount of $545.00.

Approved and ordered sent to the Common Council on Tuesday, March 13, 1979 at 8:00 p.m.

14. Received Agreement for Engineering Services Supplemental Agreement No. 1 for Additions and Improvements to the Wastewater Facilities between the City of Fort Wayne, Indiana, and Howard Needles Tammen & Bergendoff -Henry B. Steeg & Associates Division.
RE: Preparation of Step 3 Application for EPA Funds Construciton Grant for Phase A AWT WPC Plant EPA Project No. C-180774 02.

Approved. A true copy is incorporated herein.
Ordered executed agreements sent to the General Superintendent of City Utilities for distribution.

15. RESOLUTION NO. 67-54-15

Capital Improvement Resolution for construction of Fernhill Avenue Extended between Wells Street and Northrop Avenue in compliance with the Year 2000 with bid letting in April of 1979.

Approved and adopted. A true copy is incorporated herein.

16. RESOLUTION NO. 67-54-16

WHEREAS, the Board of Public Works adopted Sewer Resolution No. 294-77 wherein it was found by said Board that all abutting property owners shall be assessed to reimburse the Sewer Utility Fund for all those monies involved for said Resolution, and

WHEREAS, a sanitary sewer system was constructed in accordance with the above said Resolution to benefit all the abutting property owners as shown on the attached Exhibit "A", and

WHEREAS, the total cost to construct this said Resolution has been determined to be $353,056.55 (see original resolution - attached).

WHEREAS, the Board of Public Works was the recipient of a Federal Grant to construct said Resolution in the amount of $250,000.00, and

Approved and adopted. A true copy is incorporated herein.

Ordered sent to the Water Pollution Control Engineering Department for recording.

WHEREAS, the reimbursement due the Sewer Utility Fund is represented by the difference in these two amounts which is $103,056.55,

NOW, THEREFORE, it is hereby resolved by the Board of Public Works of the City of Fort Wayne, that

At such time that the abutting property owners shall desire to tap into the sanitary sewer system constructed under said Resolution, the payment in full of the herein established tap-in fees as shown on Exhibit "B" shall be due and payable by the property owners.

17. Received driveway application: Approved and permit issued.

1103 Goshen Road ---------- ARS Builders

18. Received street cut applications: Approved and permits issued.

7420 Baer Rd.	-	C.U. Water Maint.
717 Davis	-	"
4340 Deforest	-	NIPSCO
423 . Dewald	-	C.U. Water Maint.
410 Eckart	-	"
Eby & Paul	-	"
120 Esmond	-	"
2504 Fairfax	-	NIPSCO
Fillmore, Ardmore, Geneva at Callman & Bredemeyer	-	Water Pollution Control Engr.
6300 Bl. Goodfellow	-	NIPSCO
1012 High	-	"
2536 Hoevelwood (prkstrp)	-	C.U. Water Maint.
1219 Huffman	-	NIPSCO
1132 Kinsmoor	-	"
L. Huntington & R. R. Tracks	-	"
2530 Lynn	-	C.U. Water Maint.
North S/W on W. Main /Cherry	-	NIPSCO Gen. Tel.
6612 Old Trail Rd.	-	C.U. Water Maint.
1024 Olympia	-	NIPSCO
Parnell & Northlawn	-	C.U. Water Maint.
6927 & 7037 Peartree Lane	-	NIPSCO
906 Philley	-	"
2701 Pittsburg	-	"
Poinsette & Goshen	-	Ground Servi ces, Inc.
Across from 1107, 1111 and in front of 1212 and 1218 Springbrook Rd.	---	NIPSCO
1809 S. Webster	-	"
1111 Webster	-	"
5205 Winchester Rd.	-	"
1115 W. Woodland (alley)	-	"
E. Side Hannat at alley Washington & Jefferson	-	" Gen. Tel.
2419 E. Paulding	-	C.U. Water Maint.
3310 S. Lafayette	-	NIPSCO
3233 S. Lafayette	-	"
2530 Lynn	-	"
1312 Maumee	-	"
2804 Hanna on Leith	-	"
3422 New Haven	-	"
523 Buchanan	-	"
2929 Forest	-	"
920 E. Lewis	-	"
435 Buchanan	-	"
4239 Indiana	-	"
445 W. Foster Pk.Way	-	"
1409 W. 4th	-	"

19. Permission was granted to Horace J. Lee, 1023 University, for the use of lot at 1516 Fletcher for the period beginning on the 21st of February, 1979 and ending on the 31st of October, 1979 for solely garden purposes.

Approved and permit issued.

20. Received Building Encroachment Easement at 908 S. Calhoun Street for addition of 4'-0" high precast concrete sign board across face of existing building for Leo M. Oser.

Approved. A true copy is in file in the Board of Public Works.

21. Received Special Sewer Permit for Gerald Ford prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of Ground Services, Inc. to construct a sanitary sewer to serve Poinsette-Goshen Avenue.

Approved and Special Sewer Permit issued.

Board Order No. 9-1979.

22. Received inspection report from the Water Engineering Department and Completion Affidavit of Porter Construction Company with Guaranty Bond in the amount of $2,810.60 signed by American States Insurance Company for Seneca Hills, Section II, Water Main Contract 7810.

Approved.

Ordered acceptance letter written.

23. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of John Hartman Construction Company with Guaranty Bond in the amount of $7,329.05 signed by State Automobile Mutual Insurance Company for Woodmont, Section V Sanitary Sewer.

Approved.

Ordered acceptance letter written.

24. Received AMENDMENT TO AGREEMENT FOR SAINT MARY'S INTERCEPTOR, RESOLUTION NO. 214 SEWER EXTENSION (Res. 305-78)

WHEREAS, the City of Fort Wayne entered into an agreement with the Fort Wayne Community Schools Building Corporation on March 16, 1971 for the reimbursement of funds spent for the construction of the Saint Mary's Interceptor, Resolution No. 214, as recorded by Instrument No. 71-05984.

WHEREAS, the 70 ± acres known as Tillman Park, as recorded by Instrument No. 69-20363, within the area of assessment for the said Saint Mary's Interceptor.

WHEREAS, Fort Wayne Community Schools has waived the portion of the area connection charges due them by authority of the aforementioned Saint Mary's Interceptor agreement for said 70 ± acres.

NOW, THEREFORE, in consideration of the foregoing, the Board of Public Works of the City of Fort Wayne hereby waives the area connection charges due the City by authority of the aforementioned Saint Mary's Interceptor Agreement for the said 70 ± acres; subject following condition:

SAID 70 ± acres shall be owned by

and/or used for public parks.

At such a time as any portion or portions of said 70 ± acres fail to meet this condition, this amendment shall become null and void for said portion (s), and area connection charges as established by the original Agreement, as recorded by Instrument No. 71-05984, shall become due and payable for all existing and future sanitary sewer taps within said Portion (s) within said 70 ± acres.

Adopted this 22 day of February, 1979.

A true copy is incorporated herein.

25.

RESOLUTION NO. 67-57-25

WHEREAS, the City of Fort Wayne desires to comply with the "Policy for Increased Use of Minority Consultants" as set forth in Federal Register, Volume 43, No. 248 dated Tuesday, December 26, 1978, having an effective date of on or after February 1, 1979, and

WHEREAS, the City of Fort Wayne will receive proposal for Professional Engineering Services from Consultants after February 1, 1979, for various Environmental Protection Agency funded projects.

NOW, THEREFORE, be it resolved that the following represents the "Goal-Oriented System" of the City of Fort Wayne to encourage the increased participation of minority business enterprises (MBE) in any Engineering Consultants subagreements required for an Environmental Protection Agency funded project.

(a) Where itis economically feasible and whenever a project completion schedule will not be jeopardized, the prospective consultant is to divide the project into smaller task and obtain 2-4 percent MBE participation;

(b) Include within any proposal request from a prospective consultant a list of MBE from the general area which have expressed an interest in the project;

(c) Allow sufficient time on any proposal request from a prospective consultant to;

(1) obtain participation from a MBE

(2) make documents available to MBE

(3) notify minority associates within the general bidding area

(d) Inform prospective consultants in both the proposal request and any oral interviews after receipt of proposals of both the E.P.A. policy and goal-oriented system concerning MBE participation:

(e) Maintain records which are available upon request that show:

1. the awards to MBE.

2. the review of the participation of MBE's in subagreements,

3. that this policy was used in the evaluation for the award of a subagreement.

4. the planholders of record.

Adopted this 22nd day of February, 1979.

A true copy is incorporated herein.

26. Received notification that Combined Sewer Overflow bid proposals will be received by Board of Public Works up to 9:00 a.m. on March 12, 1979.

Approved.

Meeting adjourned at 5:45 p.m.

Henry P. Wehrenberg

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, February 26, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Thursday, February 15, 1979 at 3:30 p.m. and Thursday February 22, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received sidewalk application:

   1405 Springbrook Road ---------- A. D. Delagrange

   Approved and permit issued.

4. AWARD CONTRACT:

   Sanitary Sewer Resolution No. 305-78 for the construction of Tillman Park - Southtown Mall Lift Station Elimination Sanitary Interceptor Sewer.

   Continued to Monday, March 5, 1979 at 9 a.m.

5. Received Contract, Guaranty and Liability Bonds of T & G Excavating, Inc. in the amount of $198,979.20 prepared and approved by the Water Pollution Control Engineering Department signed by Fidelity & Deposit Company of Maryland for Sanitary Sewer Improvement Resolution No. 876-78 McKinley - Connett - Edwards Sanitary Sewer.

   Approved.

   Ordered sent to the Common Council on Tuesday, March 13, 1979 at 8:00 p.m.

6. Received Contract, Guaranty and Liability Bonds of Bercot, Inc. in the amount of $193,006.00 prepared and approved by the Water Pollution Control Engineering Department signed by The WEstern Casualty and Surety Company for Sanitary Sewer Improvement Resolution No. 302-78 Kruge Place Addition - Savoie's Subdivision Sanitary Sewer.

   Approved.

   Ordered sent to the Common Council on Tuesday, March 13, 1979 at 8:00 p.m.

7. Received Agreement between Fairington Apartments of Fort Wayne and City of Fort Wayne concerning maintenance of storm drainage facilities.

   Approved.

   A true copy is incorporated herein.

Meeting adjourned at 11:05 a.m.

Henry P. Wehrenberg

BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Wednesday, February 28, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utiliites.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications:

Approved and permit issued.

7001 Beaty	-	C.U. Water Maint.
5411 Bowser	-	"
523 Buchanan	-	NIPSCO
Cook Rd. Approx. 500' E. of Coldwater Rd.	-	Gen. Tel. "
230 Duck	-	C. U. Water Maint.
2929 Fairfield	-	NIPSCO
4514 Gaywood	-	"
2804 S. Hanna on Leith	-	"
2320 Henrietta (prkstrp)	-	C.U. Water Maint.
2610 John	-	NIPSCO
2503 John	-	"
Kinsmoor, W/Hoagland	-	C. U. Water Maint.
3310 S. Lafayette	-	NIPSCO
3233 S. Lafayette	-	"
6223 Monarch (prkstrp)	-	C.U. Water Maint.
2215 Oliver	-	NIPSCO
2419 Paulding	-	C.U. Water Maint.
1600 E. Rudisill	-	"
5421 Stony Run (prkstrp)	-	"
4509 S. Wayne	-	NIPSCO
616 W. Superior	-	"
623 W. Superior	-	"
1508 E. Wayne	-	"
4408 Werling	-	"
1119 Columbia	-	"
353 Pursley	-	"
2218 S. Hanna	-	"
625 Second	-	C.U. Water Maint.
1126 Belmont	-	"
4126 Philip Way	-	"

4. Received Final Assessment Roll of Benefits and Damages prepared by the Water Pollution Control Engineering Department for Sewer Easement No. 159-78 - McKinley - Connett - Edwards area (Sewer Res. No. 876-78).

CONFIRMED.

Ordered sent to the Department of Finance.

5. RECEIVE BIDS:

Flood Damage Repair - Water Pollution Control Storage Ponds (Emergency Flood Resolution No. 65-308-4):

INDIANA CONSTRUCTION CORP. ----- $76,690.00

SPEARS-DEHNER, INC. ---------- $92,621.40

Referred to the General Superintendent of City Utilities for tabulation and report.

Will award contract on Wednesday, March 7, 1979 at 9:00 a.m.

6. RECEIVE BIDS:

Sewer Resolution No. 304-78 for the construction of a sanitary sewer known as Covington Road - Ardmore Road Sanitary Sewer Extension:

BERCOT, INC.

BROOKS CONST. CO.

L. W. DAILEY, INC.

JOHN DEHNER, INC.

GROUND SERVICES, INC.

T - G EXCAVATING, INC.

Legal advertisement stated Thursday, February 28, 1979.

Bids will be held unopened until Thursday, March 1, 1979 meeting at which meeting they will be opened.

7. RECEIVE BIDS:

Water Contract No. 79-XP-1 for the construction of water main on Getz Road across West Jefferson Boulevard:

BERCOT, INC. ---------- $44,795.00

GROUND SERVICES, INC. --- $24,875.00

T - G EXCAVATING, INC. -- $45,533.45

Referred to the Water Engineering Department for tabulation and report.

Will award contract on Wednesday, March 7, 1979 at 9:00 a.m.

8. Received plat of Shoaff Park River Estates, Section "C" approved and submitted by the City Plan Commission.

Approved.

9. Received driveway application:

1405 Springbrook Rd. ------- A. D. Delagrange

Approved and permit issued.

10. Received Special Sewer Permit for Windsor Builders, Inc. prepared and approved by the Water Pollution Control Engineering Department. Performance and Maintenance Bonds in the amount of $28,408.50 of John Hartman Company is attached. Project is known as Windsor Woods, Section I, Sanitary Sewers.	Approved and Special Sewer Permit issued. Board Order No. 10-1979.
11. Received a petition for the installation of water main on Kelmar Drive from Sandpoint Road Eastward.	Approved. Water Engineer is to investigate and report. Board Order No. 11-1979.
12. Received a petition for the restudy of the Storm Drainage requirements for an area located in Washington Township, S.E. 1/4 Section No. 23. This area has the Penn-Central Railroad on the West, Ley Road on the North, Coldwater Road on the East and Coliseum Boulevard on the South.	Approved. Water Pollution Control Engineer is to investigate and report. Board Order No. 12-1979.
13. Received invoice from the City Controller (Barrett Law Department) in the amount of $28,803.08 covering the balance of City cost on Street Lighting Resolution No. 131-78 Lakewood Park Addition.	Approved and ordered paid from following accounts: $25,073.28 from P.O. 03644 account #33-662-265. Balance of $3,729.80 from P.O. 03650 account #34-429-001.
14. Received invoice of Bercot, Inc. in the amount of $37,848.00 prepared and approved by the Water Pollution Control Engineering Department covering project Sewer Resolution No. 300-77 Washington Center Road Lift Station Elimination, Phase I. Invoice #2 (FINAL)	Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund. (FINAL INVOICE).
15. Received inspection report from the Water Pollution Control Enginering Department and Completion Affidavit of Bercot, Inc. with Guaranty Bond in the amount of $68,800.00 signed by The Cincinnati Insurance Company for Sewer Improvement Resolution No. 300-77 - Washington Center Road Lift Station Elimination Phase I.	Approved. Ordered acceptance letter written.
16. Received invoices from Street Engineering Department for Engineering Services from 8-13-77 through 12-20-78 on Community Development and Planning Projects as follows: 1. (Invoice #3) Oxford Impact Area Phase II, Res. 5733-76 and 5734-76, B.O. 157-76 ----------$1,665.35 2. (Invoice #2, (Final) West Central Impact Area Phase II, Res. 5781-77, B.O. 205-77 ----------$ 54.22 3. (Invoice #2) E. Central Impact Area Phase II, Res. 5775-77, B.O. 93-77---------- $3,437.53	Approved. Forwarded to CD & P for payment of $27,103.06 (total) to City Controller.

4. (Invoice #1) E. Central Impact Area, Phase III, Res. 5801-78, B.O. 259-77 ---------- $1,766.05

5. (Invoice #1) W. Central Impact Area, Phase III, Res. 5808-78, B.O. 260-77 ---------- $2,465.25

6. (Invoice #1) LaRez Impact Area, Phase I, Res. 5814-78, B.O. 130-78------- $1,326.28

7. (Invoice #1) Hanna-Creighton Impact Area, Phase II, Res. 5809-78, B.O. 99-78 ---------- $1,709.78

8. (Invoice #1) Nebraska Impact Area Phase III, Res. 5802-78, B.O. 51-76 ------- $6,610.72

9. (Invoice #1) Northwest Central Impact Area Phase III, Res. 5804-78, B.O. 260-77 ---------- $2,472.75

10. (Invoice #1) Oxford Impact Area Phase III Res. ___, B.O.49-78 ---------- $2,596.63

11. (Invoice #1) Nebraska Impact Area Phase IV Res. _____, B.O. 192-78 ------- $ 260.24

12. (Invoice #1) Hanna-Creighton Impact Area, Phase III, Res. _____ B.O. 191-78 ---------- $ 577.65

13. (Invoice #1 LaRez Impact Area, Phase II Res. _____, B.O. 199-78 ---------- $ 579.12

14. (Invoice #1) East Central Impact Area Phase IV, Res. _____ , B.O. 187-78 ---------- $ 429.98

15. (Invoice #1) West Central Impact Area Phase IV Res. _____, B.O. 193-78--- $ 227.27

16. (Invoice #1) Oxford Impact Area Phase IV, Res. _____, B.O. 190-78--$ 924.24

17. Received a request from Irmscher & Sons, 1030 Osage, for permission to hood three meters (115, 117 & 119) on Berry Street (north side) west of Clinton Street on Wednesday, February 28, 1979 till September 1, 1979 (6 months) at all times. PURPOSE: parking dumpster and construction vehicles for construction project for First Federal Savings & Loan Company.

Approved and permit issued.

Meeting adjourned at 10:45.

Henry P. Helman

Tracy Peterson

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, March 1, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg
Ursula Miller

1. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 165-1979 for the condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right-of-way line of Wilkie Drive; bounded on the East by the West right-of-way line of North Bend Drive; bounded on the West by the West line of Wilkie's Addition, Section B and its Northerly extension. (SEWER RES.877-79).

There being no quorum, no action was taken.

Continued to Thursday, March 8, 1979 at 3:30 p.m.

2. HEARING ON CONFIRMATION:

Sanitary Sewer Resolution No. 877-1979 for the construction of sanitary sewer to serve Wilkie's Addition. (SEWER EASEMENT RES. 165-79).

There being no quorum, no action was taken.

Continued to Thursday, March 8, 1979 at 3:30 p.m.

3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 161-1978 for the condemnation of a permanent and temporary easement for the purpose to construct, operate, control and maintain a sewer line along and across a portion of the South half of Section 28 and 29, Township 30 North, Range 12 East, and the North half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390 ± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235 ± feet East of the centerline of Ardmore Avenue, bounded on the South by a line 60 ± feet South of the centerline of Rurode Lane, bounded on the West by a line 995 ± feet West of the East line of the Northwest Quarter Section 32. (SEWER RES. 302-78).

There being no quorum, no action was taken.

Continued to Thursday, March 8, 1979 at 3:30 p.m.

Remonstrance filed by David Peters, attorney for Isabelle T. May.

4. Continued from February 28, 1979
RECEIVE BIDS:

There being no quorum, no action taken.

Continued to Monday, March 5, 1979 at 9:00 a.m.

Sewer Resolution No. 304-78 for the construction of a sanitary sewer known as Covington Road - Ardmore Road Sanitary Sewer Extension:

		Alt. "A"	Alt. "B"
BERCOT, INC. ----------	$237,028.75	$50,101.00	$ 500.00
BROOKS CONST. CO. ---------	248,035.70	27,640.95	280.00
L. W. DAILEY, INC. --------	173,870.00	31,909.25	300.00
JOHN DEHNER, INC. ---------	202,983.75	40,038.20	700.00
GROUND SERVICES, INC. -----	175,362.50	28,455.00	1000.00
T - G EXCAVATING, INC. ----	183,682.50	33,939.45	390.00

Meeting adjourned at 5:05 p.m.

Henry P. Wehausberg

Mary Ann Pfeil

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, March 5, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Feb. 26, 1979 at 9 a.m.; Feb. 28, 1979 at 9 a.m. and March 1, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

1324, 1328, 1330, 1411, 1412, 1419, 1425, 1431 and 1437 Springbrook -------- A. D. Delagrange

4. Received street cut applications: — Approved and permits issued.

Allendale & Bella Vista	- C.U. Water Maint.
1126 Belmont (prkstrp)	- "
7414 Bradbury	- NIPSCO
6716 Bradbury	- C.U. Water Maint.
435 Buchanan	- NIPSCO
1018 Calhoun	- J & G Water & Sewer
1119 E. Columbia	- "
100 blk. W. Concord Lane	- C.U. Water Maint.
1430 Eckart	- NIPSCO
532 Fairmont	- "
445 W. Foster Pkway	- "
1409 W. Fourth	- "
S/W cor. Gay & Buchanan	- "
Harrison S/o Wayne and alley S/o Wayne & E/o Harrison	- Ind & Mich.
Hayden & Harmar (prkstrp)	- C.U. Water Maint.
5311 Hessen Cassel on Sherrill	- "
3430 Ivy League (prkstrp)	- "
2333 Kenwood (prkstrp)	- Affordable Homes
Ley Rd. E/Lima Rd.	- Gen. Tel.
LeSteele Blvd S/o Washinton Center	- "
800 Lillian	- C.U. Water Maint.
1312 Maumee (alley)	- NIPSCO
3422 New Haven	- "
611 E. Pettit	- C.U. Water Maint.
4126 Philip Way (prkstrp)	- "
318 Pursley	- NIPSCO
6907 Raintree	- C.U. Water Maint.
625 Second	- "
Sherrill & Larkwood (prkstrp)	- "
1415 Shoreview (prkstrp)	- "
7336 Springhill (prkstrp)	- "
3400 Engle (prkstrp)	- "
S. Harrison & Suttenfield, (prkstrp	- "
Killea & Calhoun "	- "
Pennsylvania & Edsall "	- "
Rudisill & Lillie "	- "
Clinton & Wiebke "	- "

1613 S. Anthony	- NIPSCO
1415 Broadway	- "
1816 Delaware (alley)	- "
2239 Florida "	- "
1415 Broadway	- "
118 W. Concord	- "
4519 Gaywood	- "
448 W. Wildwood	- "
3805 Weisser Pk.	- "
2304 Hanna	- "
4230 Tacoma (alley)	- "
408 S. Harrison	- "
214 Esmond (Alley)	- "
412 S. Harrison	- "
1021 E. Lewis	- "
Harmar & E. Lewis	- "
1000 E. Lewis	- "
1018 S. Calhoun (alley)	- "
401 W. Superior	- "
225 Melita	- "
210 Esmond (alley)	- "
4522 Gaywood "	- "
4538 Lafayette Esp.	- "

5. Continued from February 26, 1979
AWARD CONTRACT:

Received tabulation and recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 305-78 - Tillman Park - Southtown Mall Lift Station Elimination Sanitary Sewer.

Continued to Monday, March 12, 1979 at 9 a.m.

6. Continued from March 1, 1979
BIDS RECEIVED:

Sewer Resolution No. 304-78 for the construction of a sanitary sewer known as Covington Road - Ardmore Road Sanitary Sewer Extension.

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award contract on Monday, March 12, 1979 at 9 a.m.

		ALT 'A"	ALT. "B"
BERCOT, INC. ----------	$237,028.75	$50,101.00	$ 500.00
BROOKS CONST. CO. ---------	248,035.70	27,640.95	280.00
L. W. DAILEY, INC. --------	173,870.00	31,909.25	300.00
JOHN DEHNER, INC. ---------	202,983.75	40,038.20	700.00
GROUND SERVICES, INC. -----	175,362.50	28,455.00	1000.00
T - G EXCAVATING, INC. ----	183,682.50	33,939.45	390.00

7. Received a request from Martin, Inc. (Pete Smith), P.O. Box 522, for permission to barricade East lane of the 900 Block of S. Calhoun (entire block will be closed on March 5th to erect crane) on Monday, March 5, 1979 thru Saturday, March 10, 1979 from 9:00 a.m. till 3:00 p.m. each day. PURPOSE: Using large crane for work at Summit Square.

Approved and permit issued.

8. Received a request from Indiana & Michigan Electric Co. (Walter Vandegrift) 2101 Spy Run, for permission to barricade ALLEY - Thursday, March 1, 1979 thru Thursday, March 15, 1979 and STREET - Monday, March 5, 1979 thru Wednesday, March 7, 1979 - ALLEY at all times and STREET from 9:00 a.m. till 3:00 p.m. each day. ALLEY: E/W alley between Wayne and Washington from Harrison to Calhoun. STREET: Harrison Street at alley entrance between Wayne and Washington (will be working in the east 3/4 section of Harrison but will only be closing half of street at any one time). TWO-WAY TRAFFIC MUST BE MAINTAINED AT ALL TIMES. PURPOSE: Installation of duct line for new Peoples Trust Computer Center.	Approved and permit issued.
9. Received Escrow Agreement between Hagerman Construction Corporation / Shambaugh & Son, Inc., Joint Bidders; Fort Wayne National Bank & Trust Company and Board of Public Works, City of Fort Wayne, Indiana, covering Contract No. 77-W-2 - City of Fort Wayne, Indiana, Water Works Improvements - Filtration Plant Additions. Said Agreement conforms with Indiana Code 5-16-5.5, requiring the City to deposit retainage on payments for contracts amounting to $100,000 or more with an escrow agent.	Approved.
10. Received invoice #47 Revised of Hagerman-Shambaugh (Joint Bidders) in the amount of $125,419.95 approved by HNT & B (H.B. Steeg) for the period of December 24, 1978 to January 26, 1979 for Qater Quality Control Project - Division I - Water Pollution Control Plant Additions.	Approved and ordered City Utilities to pay invoice. Also ordered the amount of $6,601.05 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank. Payments are to be made from the Water Pollution Control Utility Fund.
11. Received Partial Payment Estimate No. 1 of Hagerman - Shambaugh, (Joint Bidders) in the amount of $345,997.71 prepared and approved by McNamee, Porter & Seeley, Consulting Engineers, for Contract No. 77-W-2, Fort Wayne, Indiana, Filtration Plant Expansion	Approved and ordered City Utilities to pay invoice. Also ordered the amount of $38,444.19 paid to Hagerman - Shambaugh Escrow Account at Fort Wayne National Bank. Payments are to be made from the Water Utility Fund.
12. Received Partial Payment Estimate No. 1 of Shambaugh & Son, Inc. in the amount of $ 15,120.00 prepared and approved by McNamee, Porter & Seeley, Consulting Engineers, for Contract No. 77-W-3 Water Works Improvements St. Joseph Dam & Pump Station.	Approved and ordered City Utilities to pay invoice. Also ordered the amount of $1.680.00 paid to Shambaugh & Son, Inc. Escrow Account at Fort Wayne National Bank.

13. Received invoice No. 78-08-310-01-0-05 of Howard Needles Tammen & Bergendoff in the amount of $12,368.09 approved by the General Superintendent of City Utilities for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - Advanced Wastewater Treatment - Phase C, Task #1. Services rendered for the period of June 24, 1978 through December 22, 1979.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

14. Received a request from Mr. & Mrs. Donald Haus, 1001 N. Anthony, for permission to use the following property, plot of ground, directly behind 1001 N. Anthony, which consists of 49.17' width of ground running to riverbank, all in Anthony Boulevard Place Addition. Said ground crosses unOpen Garfield Street. Permit is for the period of February 23, 1979 and ending on October 31, 1979 and is to be used for gardening purposes ONLY.

Approved and permit issued.

15. EMERGENCY RESOLUTION NO. 67-6[illegible]-15

WHEREAS, the St. Marys, St. Joseph and Maumee Rivers have risen to dangerous heights: and

WHEREAS, there exists an emergency need for additional sandbags to protect and safeguard certain areas of the community:

NOW, THEREFORE, the Board of Public Works declares that an Emergency exists to fill additional sandbags immediately and orders the Street Department notified of this Emergency declaration.

Approved and adopted: March 5, 1979.
A true copy is incorporated herein.

Meeting adjourned at 10:40 a.m

Henry P. Helmsley

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, March 7, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H, P, Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permit issued.

211 E. Washington Center Rd. --- Land Exc. Co.

4. Received street cut applications: — Approved and permits issued.

337 E. Berry	---	NIPSCO
1415 Broadway	---	"
1010 S. Calhoun	---	J & G Water & Sewer
1018 S. Calhoun	---	NIPSCO
Clinton & Wiebke	---	"
1119 Columbia (alley)	---	"
118 W. Concord Lane	---	"
1408 Creighton	---	J & G Disconnect
1418 E. Creighton	---	"
1816 Delaware (alley)	---	NIPSCO
3400 Engle Rd.	---	C.U. Water Maint.
3114 Fairfield	---	J & G Water & Sewer
3118 Fairfield	---	"
2239 Florida (alley)	---	NIPSCO
4519 Gaywood	---	"
E/ Hanna St. (alley) bet. Washington & Jefferson	---	Gen. Tel.
2218 S. Hanna	---	NIPSCO
S. Harrison & Suttenfield (prkstrp)	---	C.U. Water Maint.
4239 Indiana (alley)	---	NIPSCO
Killea & Calhoun (prkstrp)	---	C.U. Water Maint.
905 E. Lewis intersec. Gay St.	---	NIPSCO
E. Lewis bet. Harmar & Division	---	"
908 Monroe	---	"
Pennsylvania & Edsall (prkstrp)	---	C.U. Water Maint.
353 Pursley	---	NIPSCO
Rudisill & Lillie	---	C.U. Water Maint.
University / 1201 E. Washington	---	NIPSCO
622 E. Washington (alley)	---	"
409 E. Wayne (alley)	---	"
448 W. Wildwood	---	"
2504 Smith	---	"
2205 Spy Run	---	"
3118 Fairfield	---	"
1936 Fairfield	---	"
847 Hugh	---	"
1225 Harmar	---	"

1318 E. Pontiac	---	NIPSCO
2018 S. Anthony	---	"
1402 S. Anthony	---	"
1618 Kelly	---	"
1820 W. State	---	"
4600 Werling (parkstrp)	---	C.U. Water Maint.
5708 Spruce Lane	---	"
7010 Ideal (prkstrp)	---	"
2328 Hazelwood (prkstrp)	---	"
1803 S. Monroe	---	"
Superior & Clinton	---	"
2226 25th St. (prkstrp)	---	"

5. Received driveway applications:

   1324, 1328, 1330, 1411, 1412, 1419, 1425, 1431 and 1437 Springbrook Road---A.D Delagrange

   Approved and permits issued

6. Received tabulation and recommendation prepared by General Superintendent of City Utilities for Flood Damage Repair - Water Pollution Control Storage Ponds (Emergency Flood Resolution No. 65-308-4).

   AWARD contract to Indiana Construction Corp. at and for their bid in the amount of $76,690.00 subject to councilmanic approval.

   Ordered General Superintendent of City Utilities to prepare contract.

7. Received tabulation and recommendation prepared by the Water Engineering Department for Water Contract No. 79-XP-1 for the construction of water main on Getz Road across West Jefferson Boulevard.

   AWARD contract to Ground Services, Inc. at and for their bid in the amount of $24,425.00 subject to councilmanic approval.

   Ordered the Water Engineering Department to prepare contract.

8. Received from City Utilities General Superintendent Amendment to Chapter 24 of Fort Wayne City Code Article VI, Section 603 and an additional Section 605 providing for a special sewer rate for customers using more water during the summer sprinkling season.

   Approved. A true copy is incorporated herein.

   Ordered sent to the Common Council on March 13 1979 at 8:00 p.m.

9. Received Building Encroachment Easement for the following: "An encroachment of 7' over the public sidewalk in front of Lot 497 and 5' fr vac valley in Hanna's Add., more commonly known as 215 W. Wayne Street by a sign for Bobilya Shoes.

   Said sign is to measure 4'6" x 1' x 7' and is to be 11' above sidewalk level".

   Approved and on file in Board of Public Works.

10. Received withdrawal of remonstrance filed by attorney for hTh Investments, Inc. on February 22, 1979 concerning Sewer Easement Resolution No. 159-1978. Withdrawal dated March 5, 1979 submitted by Snouffer, Haller & Colvin, Attorneys-at-Law.	Filed in 159-78 Easement file.
11. Received invoice No. 70-10-210-01-1-06 of McNamee Porter and Seeley, Consulting Engineers, in the amount of $1,999.27 approved by the City Utilities General Superintendent for engineering services for Filtration Plant Expansion. Contract dated December 7, 1970 and amended on March 30, 1977 for Water Works Improvements. Water Contract No. 77-W-2.	Approved and ordered City Utilities to pay invoice from Water Utility Fund.
12. Received a petition for the installation of a sanitary sewer to serve 3.42 acres area Winchester Road from proposed Hartman Road to Godfrey.	Approved and ordered Water Pollution Control Engineering Department to investigate and report. Board Order No. 14-1979.
13. Received Water Main Improvement Resolution No. 1013-1979, final plans, estimate, specifications and property ownership list, prepared by the Water Engineering Department for the construction of water mains in and along East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition.	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners March 16, 1979 and March 23, 1979. Hearing on Confirmation: Thursday, April 5, 1979 at 3:30 p.m. Mail notices March 23, 1979.
14. Received a request from Wade for City Council Committee (Ron Talley) 1814 Barr St., for permission to hold a parade on Wednesday, April 4, 1979 from 11:30 a.m. till 12:30 p.m. (WALK-A-THON) with 100 to 300 persons. Starting point Wallace Street and Calhoun Street and terminating at Freimann Park - on sidewalk only. PURPOSE: Walk-a-thon.	Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Edward W. Pahlmann

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, March 8, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEHRENBERG, E. H. LAMAR
Ursula Miller

1. Continued from March 1, 1979
HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 165-1979 for the condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right-of-way line of Wilkie Drive; bounded on the East by the West right-of-way line of North Bend Drive; bounded on the West by the West line of Wilkie's Addition, Section "B" and its Northerly extension. (SEWER RES. 877-1979).

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

2. Continued from March 1, 1979
HEARING ON CONFIRMATION:

Sewer Resolution No. 877-1979 for the construction of sanitary sewer to serve Wilkie's Addition, Section A. (SEWER EASEMENT RES. 165-79).

CONFIRMED.

Advertise Notice to Contractor March 16 and 23, 1979.

Receive bids on Wednesday, April 4, 1979 at 9 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

3. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 162-1978 for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southwest Quarter of Section 8, Township 30 North, Range 12 East and the Southwest

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

Quarter of Section 9, Township 30 North, Range 12 East, bounded on the North by Taylor Street, bounded on the South by Covington Road, bounded on the East by Elyetta Street, bounded on the West by Country Club Road.
(SEWER RES. 304-1978). COVINGTON - ARDMORE ROADS SANITARY SEWER EXTENSION.

4. Continued from February 22, 1979
HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 163-1978 for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Northeast Quarter of Section 35, Township 30 North, Range 12 East and the North half of Section 36, Township 30 North, Range 12 East, bounded on the North by a line 140 ± ft. North of and parallel to the East-West centerline of the North half of Section 36, Township 30 North, Range 12 East and its Westerly extension, bounded on the East by a line 100 ± feet East of and parallel to the North-South centerline of said Section 36, Township 30 North, Range 12 East, bounded on the South by a line 800 ± feet South of and parallel to the East-West centerline of said Northwest Quarter Section 36 and its Westerly extension, bounded on the West by the Saint Mary's River. (SEWER RESOLUTION NO. 305-78 - TILLMAN PARK - SOUTHTOWN MALL PUMP STATION ELIMINATION SANITARY SEWER).

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare the Assessment Roll of Benefits and Damages.

5. Continued from March 1, 1979
HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 161-1978 for the condemnation of a permanent and temporary easement for the purpose to construct, operate, control and maintain a sewer line along and across a portion of the South half of Section 28 and 29, Township 30 North, Range 12 East, and the North half of Section 32, Township 30 North, Range 12 East; bounded on the North by a line 390 ± feet North of the centerline of Lower Huntington Road, bounded on the East by a line 235 ± feet East of the centerline of Ardmore Avenue, bounded on the South by a line 60 ± feet South of the centerline of Rurode Lane, bounded on the West by a line 995 ± feet West of the East line of the Northwest Quarter Section 32. KRUGE PLACE ADDITION - SAVOIE'S SUBDIVISION SANITARY SEWER Resolution No. 302-78.

Ordered the Final Assessment Roll in accordance with the findings of the Board.

Supplemental remonstrance filed by Attorney David Peters for Isabelle T. May.

Remonstrance filed by Attorney Grant F. Shipley for Ruth Schoenemann.

6. Received quotations from the Purchasing Agent for the proposed restoration of all Water Maintenance and Service Dept. Asphalt Street Cuts:

Bid of Asphalt Maint. & Serv. Dept. accepted under P.O. #0914. Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8 p.m.

BROOKS CONST. CO.	---	$6.00 /sq. ft.	$.65 / sq. ft.
HIPSKIND ASPHALT CORP.	---	13.50 "	1.50 "
ASPHALT MAINTENANCE CORP.	---	3.72 "	.67 "
WAYNE ASPHALT & CONST. CO.	---	all exc. & surface	--- $10.94/sq. ft.
RIETH-RILEY CONST. CO.	---	4.40 "	.75 "
MOELLERING CONST. CO.	---	12.00 "	2.00 "
DAILEY ASPHALT CORP.	---	7.20 "	.50 "

7. Received quotations from the Purchasing Agent for the restoration of Dig Out Areas Cuts and Sod for Water Maintenance & Service Department:

		ITEM #1 Fill	ITEM #2 SOD
ALL SEASONS LANDSCAPING	___	$1.69/ sq. ft.	$1.76 / sq. ft.
SIEBOLD PRICE TREE	___	.42 "	.62 "
TURF TENDERS	___	1.19 "	1.45 "
EWING NURSERY LANDSCAPING INC.	___	1.18 "	1.46 "
D & J LAWN	___	.60 -.80 "	.60 - .80 "

The bid of Siebold-Price Tree and Landscaping Co., Inc. was accepted under P.O. 0915 for filling of dug out areas to restore cuts made.
The bid of D & J Lawn Service was accepted under P.O. 0920 for restoring dug out areas with sod.
Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8 p.m.

Meeting adjourned at 5:15 p.m.

Henry P. Wehrenberg

Edward W. Pamas

Mary A. Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, March 12, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, March 5, 1979 at 9 a.m.; Wednesday, March 7, 1979 at 9 a.m. and Thursday, March 8, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications: — Approved and permits issued.

1110 Barthold	- NIPSCO
Breckwood & Springhill	- C.U. Water Maint.
1415 Broadway	- NIPSCO
Calhoun & Dewald	- C.U. Water Maint.
615 N. Camden	- "
4028 Coldwater	- NIPSCO
2508 W. Coliseum	- C.U. Water Maint.
2400 S. Coliseum	- "
Fleming & Calhoun	- "
1408 Francis	- NIPSCO
2900 Goshen	- "
2328 Hazelwood	- C.U. Water Maint.
7010 Ideal	- "
100 Blk. W. Jefferson	- "
413 W. Masterson	- NIPSCO
1803 S. Monroe	- C.U. Water Maint.
1626 Oakland	- NIPSCO
3300 Sequayah Pass	- C.U. Water Maint.
5708 Spruce Lane	- "
4524 E. State	- "
1814 W. State	- "
1401 Stophlet / 1900 Thompson	- "
Superior & Clinton	- "
2226 25th St.	- "
4923 - 25 Vermont Lane	- NIPSCO
525 Wagner	- "
211 E. Washington Center	- Land Exc. Co.
127-129 W. Wayne	- Jos. Watkins
4600 Werling	- C.U. Water Maint.
100 W. Jefferson	- "
5623 Sandra Lee	- "
Raymond & Holly	- "
Raymond & Fleetwood	- "
2814 Millbrook	- "
Leroy & Curdes	- "
Curdes & Carew	- "
1325 Archer	- "

Wayne & Berry	-NIPSCO
4121 N. Anthony	- "
5105 Fairfield	- "
808 3rd St.	- "
1124 Oak	- "
2526 St. Mary's	- "
4215 Reed	- "
800 Fulton	- "
1610 Kelly	- "
1505 Sinclair	- "
1718 St. Marys	- "
1714 St. Marys	- "
Intersec. Huffman & St. Marys	- "
Putnam & St. Marys	- "
1324 Lillie	- "
1614 Kelly	- "
2720 John	- "
701 W. State	- "
609 Packard	- "
435 W. Butler	- "
1501 Third	- "
3424 Adrondiak	- "
514 Fairmont Place	- "

4. Continued from March 5, 1979
AWARD CONTRACT:

Sewer Resolution No. 305-1978 for the construction of sanitary sewer - Tillman Park - Southtown Mall LIft Station Elimination.

AWARD TO LAND EXCAVATING, INC. at and for their bid in the amount of $163,852.50 subject to councilmanic approval and subject to receiving executed agreement from Southtown Mall.

Ordered Water Pollution Control Engineering Department to prepare contract.

5. AWARD CONTRACT:

Sanitary Sewer Resolution No. 304-1978 for the construction of Covington - Ardmore Sanitary Sewer Extension.

Continued to Monday, March 26, 1979 at 9:00 a.m.

6. Received Combined Sewer Overflow Consulting Engineers bid proposals:

1	CLARK, DEETZ & ASSOC., Engr., Inc.	-------
3	MALCOLM PIRNIE, INC.	---
4	HOWARD NEEDLES TAMMEN & BERGENDOFF	---
2	REID - QUEBE - ALLISON - WILCOX	---
5	CLYDE WILLIAMS & ASSOC., INC.	---

Referred to Committee to review: P. Boller, H. Biggs, E. Stanczak, E. H. LaMar and H. P. Wehrenberg.

Committee to report to Board on Monday, April 2, 1979.

7. RESOLUTION NO. 67-76-7

WHEREAS, Robert O. Blum, Raymond Baumgartner, Jean Baumgartner, Mary Martin, Ralph Lautzenheiser, Joseph D. Cramer, William Young, Nina Yound and Schrock Construction Inc., has peitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a public street situated in Fort Wayne, Allen County, to-wit:
That portion of Glenn Avenue extending from the East right of way of Eleanor Avenue East to the West right of way of the North-South alley (approximately 145 feet).

Approved.

8. RESOLUTION NO. 67-77-8

WHEREAS, Leonard L. Gillan and Stephanie Gillan have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:
That portion of Rathert Lane, an east-west street approximately twenty-five (25) feet in width, running approximately 171.13' along and adjacent to the northern property line of Lot 4, Fernhill Place Amended Addition to the City of Fort Wayne, Indiana.

Approved.

9. RESOLUTION NO. 67-77-9

WHEREAS, Karl Jensen has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:
Commencing at the most westerly corner of Lot #1, C.L. Centlivre Brewing Co., Addition; thence south 42 degrees 09' east a distance of 81.37 feet; thence south 6 degrees 29' west a distance of 273.6 feet; thence south 9 degrees 16' east 32.2 feet; thence south 80 degrees 44' west a distance of 11.25 feet; thence north 19 degrees 18' west a distance of 181.35 feet; thence north 6 degrees 29' west a distance of 113.40 feet; thence north 42 degrees 09' west a distance of 56.52 feet; thence north 15 degrees 58' west a distance of 2.90 feet; thence north 19 degrees 00' east a distance of 55.57 feet; thence south 42 degrees 09' east a distance of 20.55 feet to the point of beginning.

Approved.

10. Received Construction Timetable and Map from Citizens Cable of Fort Wayne, Inc. as provided in Section VII A (1) of Cable Television Ordinanace G-27-77 that this be filed six months from date of Contract approval (September 12, 1978).

Approved.

Ordered a copy sent to each member of the City Council.

11. Received invoice No. 71-01-310-01-0-87 of Howard Needles Tammen & Bergendoff (Steeg Division) in the amount of $1,765.78 for general engineering on Water Quality Control Project - Division I - Water Pollution Control Plant Additions Federal Project No. C-180538-01

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

12. Received invoice No. 78-08-310-01-0-06 of Howard Needles Tammen & Bergendoff (Steeg Division) in the amount of $31,304.45 for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - Advanced Wastewater Treatment Design Phase B -Task #3. Services rendered for the period of July 23, 1978 through February 16, 1979. Invoice also includes unbilled expenses covering Task #1 under Phase B posted after October 27, 1978.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

13. Received Escrow Agreement between Shambaugh & Son, Inc.; Fort Wayne National Bank and Board of Public Works of the City of Fort Wayne, Indiana, covering contract No. 77-W-3 Water Works Improvements ST. JOSEPH DAM & PUMP STATION.
Said Agreement conforms with Indiana Code 5-16-5.5, requireing the City to deposit retainage on payments for contracts amounting to $100,000 or more with an escrow agent.

Approved.

14. SPECIAL RESOLUTION NO. 67-78-14

WHEREAS, the Street Engineering Department has informed the Board of Public Works that the streets of Fort Wayne are in need of immediate filling of pot-holes; and

WHEREAS, they have recommended that invitational bids be taken from private contractors

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency exists and directs that Street Engineering prepare plans and specifications and take invitational bids from the five asphalt contractors located in Fort Wayne.

Approved and adopted this 12th day of March, 1979.

A true copy is incorporated herein.

15. Received Change Order No. 6 of Hagerman Construction Corporation in the amount of $385.00 decrease prepared and approved by McNamee, Porter & Seeley, Consulting Engineers, for Contract No. 77-W-1 - Water Works Improvements Washwater Retention Basin.

Approved.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Ethel W. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, March 14, 1979

Department of Public Works
Office of the Board
Room 910, City County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received sidewalk application: — Approved and permit issued.

   5712 Sandra Lee Lane ------- James Brunson, Inc.

4. Received driveway application: — Approved and permit issued.

   8202 Indianapolis Road ------- John Dehner, Inc.

5. Received a request from NIPSCO (Dave Salmons), 1501 Hale Avenue, for permission to barricade the west curb lane of Anthony from railroad tracks to Wayne Trace (possible work may be required south of Wayne Trace also) on Tuesday, March 13, 1979 through Friday, March 16, 1979 from 8:00 a.m. till 4:00 p.m. each day. PURPOSE: Repair gas leak (emergency). — Approved and permit issued.

6. Received a request for Monday, March 12, 1979 thru Friday, March 16, 1979 at all times from NIPSCO, 1501 Hale Avenue (Mr. Weilbaker) for permission to barricade Edsall Avenue from the north side of Maumee about 10 feet north (entire entrance onto Edsall off Maumee will be closed to thru traffic). PURPOSE: Broken gas main - permanent repairs. — Approved and permit issued.

7. Received a request from L.I. Griffin & Sons, Inc. (Glen Durnell) 4920 S. Monroe, for permission to barricade on Monday, March 12, 1979 thru Friday, March 30, 1979 from 9:30 a.m. till 4:30 p.m. each day the south lane of 100 block W. Suttenfield from Harrison Street east 100 feet. Also: Close entire 100 block of W. Suttenfield on 3/12/79 for bringing in wrecking crane. PURPOSE: Parking crane and loading trucks during demolition of old section of Simpson United Methodist Church. — Approved and permit issued.

8.	Received Water Contract No. 7823, prepared and approved by the Water Engineer between the Fort Wayne Water Utility and Liechty & Associates, Inc. for Edgerose Drive, Rolling Meadows Lane; Amberly Drive; Tamarix Place; Ruthton Place; Middleboro Place, Jonathon Place and Edwardsburg Place all in SHORDON ESTATES, SECTION IV.	Approved. Ordered sent to the Water Engineering Department for handling.
9.	Received Water Contract No. 78-XP-3 for Rothman Road Water Main Extension prepared by Water Engineer for Fort Wayne Water Utility of the City of Fort Wayne, Indiana. NOTICE OF WATER MAIN EXTENSION - concerns future service connection tap to water main.	Approved. Ordered sent to the Water Engineering Department for recording. A true copy is incorporated herein.
10.	Received Agreement Water Main Contract No. 78-XP-3 for the construction of Rothman Road from Meri-wood Drive East 1000 ± LF between North Eastern Construction Company and the City of Fort Wayne, Indiana. Amount of $24,117.50.	Approved. Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8:00 p.m. A true copy is incorporated herein.
11.	Received Invoice No. 1 of Schmidt Electric, Inc. in the amount of $9,630.00 prepared and approved by the Street Lighting Engineering Department for Street Lighting Resolution No. 133-78 - West Central Phase III.	Approved and ordered invoice paid by Community Development and Planning.
12.	Received Contract, Guaranty and Liability Bonds of T & F Construction Corp. in the amount of $6,593.60 prepared and approved by the Street Lighting Engineering Department for Street Resolution Lighting No. 132-78 for Devonshire Drive. Insurance signed by Fidelity & Deposit Company of Maryland.	Approved. Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8:00 p.m.
13.	Received Contract, Guaranty and Liability Bonds of T & F Construction Corp. in the amount of $14,069.80 prepared and approved by the Street Lighting Engineering Department for Street Lighting Resolution NO. 134-78 for Victoria Park Addition. Insurance signed by Fidelity & Deposit Company of Maryland.	Approved. Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8:00 p.m.
14.	Received Contract, Guaranty and Liability Bonds of T & F Construction Corporation in the amount of $25,344.10 prepared and approved by the Street Lighting Resolution No. 135-78 for East Central Phase III and IV Impact Area.	Approved. Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8:00 p.m.
15.	Received request from Waynedale American Legion, Post 241 (Bill Screeton) 6620 Koester Drive, for pemission to barricade Old Trail Road from Church to Bluffton Road, MacArthur Drive from Old Trail to Ideal and Church from Old Trail to Bluffton on Monday, May 28, 1979 from 12:00 Noon till 12:30 P.m. PURPOSE: Line-up of procession for Memorial Day Parade.	Approved and permit issued.

16.

RESOLUTION ADOPTED BY THE
BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
MARCH 14, 1979

The Chairman then stated that Indiana Franklin Realty, Inc. had requested that the City grant, to it, an additional assignable Perpetual Easement in parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard in Fort Wayne, Indiana, so that it can construct part of the footings of One Summit Square in additional parts of those public right-of-way. He then presented to the Board a form of Perpetual Easement drafted for that purpose and reported that Larry J. Burke, Associate City Attorney, had reviewed the form and had approved it as to form and legality. He also reported that Thomas Manny, the City Traffic Engineer, had reviewed the legal description which is Exhibit "A" to Perpetual Easement and had no objections thereto. After discussion, and upon motion duly made by the Chairman, seconded and unanimously carried, the following resolution was adopted:

> RESOLVED, That the City of Fort Wayne, Indiana, grant to Indiana Franklin Realty, Inc., an additional perpetual easement in the parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard, all as described in Exhibit "A" to the form of Perpetual Easement which was presented to, and is now approved by this Board and that all members of this Board of Public Works be, and they hereby are, authorized and directed to execute, acknowledge and deliver the said Perpetual Easement.

The Chairman then stated, consistent with its financing arrangements, it would be necessary for Indiana Franklin Realty, Inc. to assign the perpetual easement to One Summit Associates and that the financing institution had required that the City of Fort Wayne specifically acknowledged and consent to the assignment. He then presented to the Board a form of acknowledgment of assignment which had been prepared for that purpose and reported that Larry J. Burke, ASsociate City Attorney, had reviewed and approved that form as to form and legality. After discussion and upon motion duly made by the Chariman, seconded and unanimously carried, the following resolution was adopted:

> RESOLVED, that the City of Fort Wayne, acknowledge and consent to the assignment by Indiana Franklin Realty, INc. to One Summit Associates of the perpetual easement in parts of Calhoun Street and the east-west alley which lies between Wayne Street and Washington Boulevard which was granted by the City on this date and that all members of this Board of Public Works be, and they hereby are, authorized and directed to execute, acknowledge and deliver the form of acknowledgment of assignment which was presented to, and is now approved by this Board..

Approved this 14th day of March, 1979.
A true copy is incorporated herein.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Edward D. Doran

Mary A. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Monday, March 19, 1979

Department of Public Works
Office of the Board
Room 910, City County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Monday, March 12, 1979 at 9 a.m. and
Wednesday, March 14, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway application: — Approved and permit issued.

5712 Sandra Lee ---------- James Brunson, Inc.

4. Received street cut applications: — Approved and permits issued.

2018 S. Anthony ----------	NIPSCO
1613 S. Anthony	"
1402 S. Anthony	"
1418 Broadway	"
5310 Coldwater	"
3300 W. Coliseum (prkstrp)	C.U. Water Maint.
2304 S. Hanna	NIPSCO
Harmar /847 Hugh	"
6207 Highgate Pl.	"
L. Huntington & Monterrey (prkstrp)	C.U. Water Maint
Maurane Drive	WPC Engr. Dept.
7123 Oleander Ct. (prkstrp)	C.U.Water Maint.
910 and 914 Putnam	NIPSCO
5725 Riviera	"
1031 Rivermet	C.U. Water Maint.
403 Ross	NIPSCO
1714 & 1718 St. Marys	"
St. Marys intersec. of Putnam	"
Sherman intersec. of Putnam	"
2504 Smith	"
701 W. State	"
Taylor / 1936 Fairfield	"
808 Third	"
1501 Third	"
1708 Third	"
313 W. Washington (alley)	"
430 E. Wildwood	"
Jacobs & Cass	"
1206 E. Columbia	"
4307 Gaywood	"
738 W. State	"
123 W. Wildwood	"
Intersec. Gay and Lewis	"
323 W. Dewald	"
5208 Hanna	"
2072 Phenie	"
5105 Fairfield	"
1102 Burgess	"
1828 W. State	"
3118 Fairfield	"
3001 Maumee	"
Int. of Maumee & Edsall	"

5. Received a request from St. Jude's Research Hospital (James Ort) 11530 Brook Lane Drive, for permission to hold a parade on Sunday, May 13, 1979, from 8:00 a.m. till 7:00 p.m. Approximate number of persons: 400 to 500 with bicycles. Starting point: Franke Park and terminating at Franke Park.
PURPOSE: Fund Raising Bike-a-thon.

Approved and permit issued.

6. Received a request from Waynedale American Legion, Post 241, 6620 Koester Drive, for permission to hold a parade on Monday, May 28, 1979 from 12:00 Noon to 2:00 p.m. Approximate number of persons: 200, with 50 animals and 50 vehicles. Starting at Old Trail Road at McArthur Drive; north on Old Trail to Prairie Grove Cemetery (parade to cross L. Huntington Road)
PURPOSE: Memorial Day Parade.

Approved and permit issued.

7. Received quotation from the Purchasing Agent for the proposed purchase of register meters and parts for the Water Maintenance & Service Department:

HERSEY METER COMPANY -------- $3,537.90

The bid of Hersey Meter Company was accepted under Purchase Order No. 0931 in the amount of $3,537.90.

Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8:00 p.m.

8. Received quotations from the Purchasing Agent for the proposed purchase of Three (3) 1979 one-ton pick-ups with bed and two (2) 1979 Utility Bodies for the Water Maintenance & Service Department:

The bid of Hefner Chevrolet, Inc. was accepted under P.O. 0935 in the amount of $15,810.00.
The bid of Hoosier Truck Equipment, Inc. was accepted under P.O. 0936 in the amount of $3,352.00.
Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8 p.m.

	ITEM #1 (1) 1979 pick-up with bed	ITEM # 2 (2) 1979 pick-ups with cab & Chassis	ITEM #3 (2) Utility Bodies including mounting
HOOSIER TRUCK EQUIP.,INC.			$ 3,352.00 total
ALLEN COUNTY MOTORS	$6,757.16	$9,060.32	3,352.00 total
HEFNER CHEVROLET	5,776.00	10,034.00	3,750.00 total
EMMERT EQUIP CO.			3,669.60 total
GLENBROOK DODGE	bid disqualified.		

9. Received quotations from the Purchasing Agent for the proposed purchase of one (1) Add on Computer Memory for Data Processing Department:

The bid of Cambridge Memories, Inc. was accepted under P.O. 0948 in the amount of $26,634.50.
Ordered sent to the Common Council on Tuesday, March 27, 1979 at 8 p.m.

PIONEER COMPUTER MARKETING	$47,886.00		
CAMBRIDGE MEMORIES, INC.	$25,973.00	$26,634.50 (option #2)	$27,296.00 (option #3)
ELECTRONICS MEMORIES	$23,000.00		

10. RESOLUTION NO. 67-84-10

Approved.

WHEREAS, the Lake County Trust Company has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

"That portion of Rathert Lane, an east-west street, approximately twenty-five feet in width, said portion running from the east property line of Dusing Avenue to the west proeprty line of Lot No. 5 in Fernhill Place Amended Addition to the City of Fort Wayne, Indiana"

ALSO:

"That portion of Dusing Avenue, a north-south street, approximately fifty (50) feet in width, said portion running from the south property line of Rathert Lane to a point twenty-five feet north of the south property line of Lot #5 in Fernhill Place Amended Addition to the City of Fort Wayne, Indiana.

11. Received Agreement between City Utilities and Office and Professional Employees' International Union Local No. 325, AFL-CIO for a period from March 12, 1979 through December 31, 1980.

Approved and on file in the Board of Public Works.

12. Received Sidewalk Improvement Resolution No. 5818-78, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for the construction of sidewalk at 1030 and 1038 St. Joseph Blvd., also known as Lot 22 except south 100 feet, and Lot 24 except South 136 feet on the West and South 137 feet on the East. Both lots being in Lakeside Park Addition to a width of seven feet curbface walk on St. Joe Blvd. and five feet on adjacent LaFort Street.

Approved and adopted. A true copy is incorporated herein.

WAIVER of Notice of public hearings is incorporated by reference herein. Copy is filed in folder with resolution.

CONFIRMED.

Advertise Notice to Contractors. March 23 and 30, 1979.

Receive bids on Wednesday, April 4, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

13. Received Special Sewer Permit for North Eastern Construction Company prepared and approved by the Water Pollution Control Engineering Department for the construction of a onsite and off site sanitary sewer known as Tanbark Section II - ON-SITE AND OFF-SITE.
25% maintenance bond will be required for onsite portion prior to final acceptance.

Approved and permit issued.

B.O. 16-1979.

14. Received Sewer Easement Resolution No. 167-79 final plans and property ownership list prepared by the Water Pollution Control Engineering Department for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (S.R. #3). (SEWER RES. NO, 878-1979).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners March 23 and 30, 1979. Hearing on Confirmation Thursday, April 12, 1979 at 3:30 p.m. Mail notices March 30, 1979.
15. Received Sanitary Sewer Improvement Resolution No. 878-1979, Divisions I & II final plans, estimate, specifications and property ownership list, prepared by the Water Pollution Control Engineering Department - LUDWIG PARK AREA. (SEWER EASEMENT RES. NO. 167-79).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners March 23 and 30, 1979. Hearing on Confirmation Thursday, April 12, 1979 at 8:00 p.m. Mail notices mailed March 30, 1979.
16. Received partial payment estimate #13 of T & F Construction Corporation in the amount of $1,991.20 approved by the Street Lighting Engineering Department covering Street Lighting Resolution No. 125-77 for Central Business District Street Lighting and Traffic Signals - EDA Project 06-51-26289.	Approved and ordered amount of $1,991.20 paid to T & F Const. Corp. by the City Controller. Also, ordered T & F Const. Corp. Escrow Account at Indiana Bank and Trust Company paid the amount of $104.80. Payments are to be made from LPW II Fund.
17. Received partial payment estimate #14 of T & F Construction Corporation in the amount of $10,343.03 approved by the Street Lighting Enginering Department covering Street Lighting Resolution No. 125-77 for Central Business District Street Lighting and Traffic Signals - EDA Project 06-51-26289.	Approved and ordered amount of $10,343.03 paid to T & F Const. Corp. by the City Controller. Also, ordered T & F Const. Corp. Escrow Account at Indiana Bank and Trust Company paid the amount of $544.37. Payments are to be made from LPW II Fund.

18. Received Amendment No. 2 to Contract for Engineering Services between the City of Fort Wayne, Indiana, and McNamee, Porter and Seeley of Ann Arbor, Michigan, dated December 7, 1970 for Water Works Improvements.
MEMORANDUM OF AGREEMENT REVISES Page 4, Article II, Section I, last paragraph to read as follows:

"For the work involved in the resident engineering and resident inspection, Article I, Section 3, the City agrees to pay the Engineers for the services outlined in Article I, Section 3, the salary costs of such resident engineer and inspectors plus 75% thereof, plus direct costs of moving of the resident engineer and inspectors from Fort Wayne to Ann Arbor when their services are no longer required by the City at the jobsite."

Approved. A true copy is incorporated herein.

19. Received a request from Helen B. Foster, 1011 N. Anthony Blvd., for permission to use the following property - City Street Property West of Lot 34, Anthony Blvd. Place Addition and extending within 8' of the dike from March 20, 1979 and ending on the 31st day of October, 1979.
USE: For gardening purposes ONLY.

Approved and permit issued.

20. Received a request from General Telephone Company (Don Rehling) 525 Tecumseh, for permission to barricade the north lane of Superior at the Northeast corner of Calhoun and Superior on Tuesday, March 20, 1979 from 8:00 a.m. till 3:30 p.m.
PURPOSE: Emergency repair of sunken manhole casting.

Approved and permit issued.

Meeting adjourned at 11:00 a.m.

Henry P. Klekamp

Edward D. Lamey

Mary G. Stout

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, March 21, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permit issued.

   2113 Wayne Trace --------- Molargik Const. Co.

4. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Sewer Easement No. 163-78 - Tillman Park - Southtown Mall Pump Station Elimination. — Approved and Board finds that the amount of damages to each property listed on said Roll are equal to the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

   Notices to be served on April 6, 1979.

   Hearing on Confirmation of Assessment Roll Thursday, April 19, 1979 at 3:30 p.m.

5. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Sewer Easement No. 165-79 - Wilkie's Addition. — Approved and Board finds that the amount of damages to each property listed on said Roll are equal to the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

   Notices to be served on April 6, 1979.

   Hearing on Confirmation of ssessment Roll Thursday, April 19, 1979 at 3:30 p.m.

6. RESOLUTION NO. 67-88-6

WHEREAS, the City of Fort Wayne wishes to construct Fernhill Avenue Extended between Wells Street and Northrop Avenue; and

WHEREAS, representatives of the Board of Public Works have prepared detailed plans and specifications for said improvement; and

WHEREAS, said improvement will require City of Fort Wayne to obtain a License from Consolidated Rail Corporation:

NOW, THEREFORE, the City of Fort Wayne by and through its Board of Public Works hereby authorizes its Board of Public Works to enter into Agreement dated January 26, 1979 with Consolidated Rail Corporation covering drain pipe between 2.01 and 1.69 miles north of the Station of Fort Wayne and designates Henry P. Wehrenberg, Chairman of the Board of Public Works, to execute said Agreement on behalf of the City.

Approved this 21st day of March, 1979.

A true copy is incorporated herein.

7. Pursuant to report form the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-offs as per list submitted: Water : $2,237.73 and Sewer: $1,933.80 (total - $4,171.53). — Approved.

8. Received Partial Payment Invoice No. 1 of Worthington Pump Corporation in the amount of $14,166.90 prepared and approved by the McNamee, Porter and Seeley, Consulting Engineers, for material for Water Works Improvements - St. Joe Dam. Resolution No. 77-W-4. — Approved and ordered paid from Water Utility Fund by City Utilities.

9. Received Partial Payment Estimate No. 1 (78-09-310-02-0-01) of Howard Needles Tammen & Bergendoff (Henry B. Steeg Div.) in the amount of $3,686.00 covering professional engineering services performed in connection with the repair of the damage to the Water Pollution Control Plant caused by the March, 1978 Flood, in accordance with Agreement dated September 22, 1978. Payment approved by General Superintendent of City Utilities. Emergency Res. No. 65-308-4. — Approved and ordered paid from Water Pollution Control Utility Fund by City Utilities.

10. Received invoice of Underground Pipe & Valve, Inc. in the amount of $175.00 for unloading River Crossing Pipe for Sewer Resolution No. 298-77 - Rothman Road - Maplecrest Sanitary Interceptor Phase I. Invoice approved by Water Pollution Control Engineering Department. — Approved and ordered City Utilities to pay invoice from the WPC Utility Funds.

Meeting adjourned at 10:50 a.m.

Henry P. Wehrenberg

E. D. W. Lomax

Mary Alice Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, March 26, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Monday, March 19, 1979 at 9 a.m. and
Wednesday, March 21, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permit issued.

110 E. Crown Lane ---------- Hipskind Concrete
6548 Red Bud Dr.---------- HIpskind Concrete

4. Received street cut applications: — Approved and permits issued.

Barr intersec. Wayne ------- NIPSCO
1406 E. Berry - "
4300 Coldwater - C.U.
2012 Duprey - NIPSCO
1521 Elmrow - C.U.
210 & 214 Esmond (alley) - NIPSCO
800 Blk. Fulton - "
4522 Gaywood (alley) - "
1907 Hale (prkstrp) - C.U.
1225 Harmar - NIPSCO
2934 Holton - "
1022 S. Hanna (alley) - "
Home / 2829 Broadway - "
2720 John - "
6209 Landover Pl - "
237 W. Leith - "
511 E. Leith - "
1021 E. Lewis - "
1324 Lillie - "
4522 Lillie - C.U.
L. Huntington Rd. 25' E
N & W R. R. - Chief Water Eng.
5010 Marston (prkstrp) - C.U.
Along Maumee, Division and King
from Washington extending
south - NIPSCO
225 Melita - "
311 W. Packard - "
1318 E. Pontiac - "
4215 Reed - "
1031 Rivermet - C.U.
Sherman St. N/Franke Pk Dr.- Gen. Tel.
E. Sherwood / 4538 Laf. Esp. - NIPSCO
7210 Snowfall Ct. - "
4230 Tacoma (alley) - "
Warsaw & Sherwood Terrace - C.U.

3805 Weisser Park (alley)	- NIPSCO
2522 Wells (alley)	- Rick's Sewer Serv.
N. R/W Lake at Hobson	- Gen. Tel.
N/E cor. Superior & Calhoun	- Gen. Tel.
840 E. Lewis	- NIPSCO
Intersec. Oakley & Dewald	- "
2217 S. Lafayette (alley)	- "
Anthony & Pettit	- "
633 W. Dewald	- "
3121 McArthur	- "
1430 E. Lewis	- "
1818 Tecumseh	- "
235 W. Leith	- "
3130 Oliver	- "
4306 Gaywood	- "
2539 Holton	- "
5217 S. Harris	- "
725 Hawthorne	- "
2907 Lafayette	- "
1211 W. Packard	- "
4701 Indiana	- "
711 Huffman	- "

5. Received Assessment Roll of Benefits and Damages, prepared and approved by the Water Pollution Control Engineering Department for Sewer Easement No. 162-78 Covington Road - Ardmore Avenue area.

pproved and Board finds that the amount of damages to each property listed on said Roll are equal to the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served on April 13, 1979.

Hearing on Confirmation of Assessment Roll Thursday, April 26, 1979 at 3:30 p.m.

6. AWARD CONTRACT:

Received tabulation and recommenda tion prepared by the Water Pollution Control Engineering Department for Sanitary Sewer Resolution No. 304-78 - Covington Road - Ardmore Avenue area.

AWARD contract to Ground Services, Inc. at and for their bid in the amount of $173,362.50 subject to councilmanic approval.

Ordered the Water Pollution Control Engineering Department to prepare contract.

7. Received invoice #48 of Hagerman-Shambaugh (Joint Bidders) in the amount of $109,205.56 approved by HNT & B (H.B. Steeg Div.) for the period of January 26, 1979 to February 23, 1979 for Water Quality Control Project - Division I - Water Pollution Control Plant Additions.

Approved and ordered City Utilities to pay invoice.

Also, ordered the amount of $5,747.66 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank.

Payments are to be made from the Water Pollution Control Utility Fund.

8. Received invoice No. 71-01-310-01-0-88 of HNT & B (Steeg Division) in the amount of $1,537.50 approved by the General Superintendent of City Utilities for General Engineering - Water Quality Control Project Division I - Water Pollution Control Plant Additions - Federal Project No. C-180538-01.	Approved and ordered paid by City Utilities from the Water Pollution Control Utility Fund.
9. Received Improvement Resolution No. 5826-1979, final plans, estimate and specifications, prepared by the Street Engineering Department for improving Bluffton Road and Old Trail Road Intersection. The improvement will consist of the contruction of 7" plain concrete pavement on Old Trail Road, widening and resurfacing, new curbs, new storm drainage on Bluffton Road, street lights and a new traffic signal. (CITY PAID).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Contractors March 30 and April 6, 1979. Receive bids on Wednesday, April 11, 1979 at 9:00 a.m. Ordered bid documents.
10. Received Invoice of Brooks Construction Co. in the amount of $17,985.03 prepared and approved by the Street Engineering Department covering work on "The Landing" Improvement Resolution NO. 5796-78.	Approved and ordered invoice paid $8,790.03 paid out of account #402-128-129-4265 and the amount of $9,195.00 is to be paid under P.O. 03617 which is out of MVH encumbered.
11. Received invoice from City Controller (Barrett Law Department) in the amount of $334.14 covering the balance of City cost on Street Lighting Resolution No. 131-78 Lakewood Addition.	Approved and ordered paid from Revenue Sharing Fund - Street Lighting construction.
12. Received invoice from Allen County Highway Department requesting payment of $1,105.07 for 59% participation by City per Agreement forACR-4-71 LR&S Project #10 - St. Joe Road (SR #37 to Evard Road). Invoice covers preliminary engineering of Butler, Fairman and Seufert, Inc. for reconstruction (Jan. 19, 1979 to March 2, 1979) per agreement dated July 28, 1970 amended September 11, 1974.	Approved. Ordered check issued to Treasurer of Allen County. Payment is to be made from the Indiana Local Road and Street Fund.
13. Received invoice from Allen County Highway Department requesting payment of $287.50 for 10% participation by City per agreement dated December 3, 1974. Invoice covers subsurface investigation and salt content tests - Ewing - Wells Bridge by Alt & Witzig Engineering, Inc. Project No. is ACB-43-69.	Approved. Ordered check issued to Treasurer of Allen County. Payment is to be made from the Indiana Local Road and Street Fund.
14. Received a request from Howard C. LeClaire, 1015 N. Anthony, for permission to use City property immediately west of Lot 31 Anthony Blvd. Place Add., 1000 Block Garfield Street for the period beginning on the 26 day of March and ending on the 31st day of October, 1979. PURPOSE: Gardening ONLY.	Approved and permit issued.
15. A request was received from General Telephone Company, 525 Tecumseh, for permission to barricade the north lane of Maumee at University on Monday, March 26, 1979 from 9:45 a.m. till 4:30 p.m. PURPOSE: Repair cable previously damaged.	Approved and permit issued.

16. EMERGENCY SEWER REPAIR RESOLUTION NO. 67-92-16

WHEREAS, a sewer collapsed in an alley between the 1600 blocks of High and Sinclair Streets; and

WHEREAS, an Emergency exists to have it repaired immediately; and

WHEREAS, the Water Pollution Control Maintenance Department solicited bids from L.W. Dailey, Inc., T & G Excavating, Inc. and John Dehner, Inc.; and

WHEREAS, L. W. Dailey, Inc. is available to make these repairs immediately:

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency does exist and order City Utilities' General Superintendent to issue a Purchase Order to L. W. Dailey, Inc. to make said repairs.

Approved and adopted this March 26, 1979.

A true copy is incorporated herein.

17. Received plans and specifications for the installation of 1,085 ± feet of 24 inch water main on Indianapolis Road from existing 16 inch water main on Baer Field Thruway (Dalman Road) northward a distance of approximately 1,085 feet - Water Contract No. 7903 - BAER ROAD - McARTHUR DRIVE FEEDER MAIN, PHASE I.

Approved.

Advertise Notice to Contractors on March 30 and April 6, 1979.

Receive bids on Wednesday, April 11, 1979 at 9:00 a.m.

Bid documents to be prepared by Water Engineering Department.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Edward V. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, March 28, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordred sent to the Department of Finance.

3. Received driveway application: — Approved and permit issued.

1817 Shamrock Lane ------- Mishler Builders, Inc.

4. Received street cut applications: — Approved and permit issued.

Beatrice & Yorkshire (prkstrp)	-----C.U. Water
Calhoun intersec. Sixth	---NIPSCO
2523 Caroline	--- "
3512 Dalevue	--- "
1320 Delta Blvd.	--- "
1935 Emerson	--- "
3230 Hoagland	---C.U. Water Maint.
Hoagland & Packard	--- "
1217 McCulloch (alley)	---NIPSCO
4936 Nob	--- "
Nuttman at Edwards	---P. Boller, WPC Engr.
2039 W. Packard	---NIPSCO
316 W. Packard	--- "
1337 Park	--- "
4229 Reed	--- "
1711 Shalimar Ct.	--- "
1706 Simons	--- "
2112 Smith	--- "
3930 Smith	--- "
514 E. Washington Center Rd.	--- "
2430 Bowser	--- "
220 E. Douglas	--- "
435 Madison	--- "
707 Kinnaird	--- "
7302 Bluffton	--- "
1325 Archer	---C.U. Water Maint.
Curdes & Carew	--- "
6722 Forest Glen Ct.	--- "
2214 Forest Pk.	---NIPSCO
2300 Interlaken	---C.U. Water Maint.
5200 blk. S. Lafayette	--- "
Leroy & Curdes	--- "
2814 Millbrook	--- "
Raymond & Fleetwood (prkstrp)	--- "
Raymond & Holly (prkstrp)	--- "
5623 Sandra Lee (prkstrp)	--- "
Wasington W/Clinton	--- "
Washington E/Calhoun	--- "
Weisser Pk. & McKee (prkstrp)	--- "
2533 White Oak (prkstrp)	--- "

333 Brandriff	---	NIPSCO
2900 Fairfield	---	"
1123 Wells (alley)	---	"
4431 Gaywood	---	"
4619 Weisser Pk. (alley)	---	"
Putman & Sherman	---	"
910 and 914 Putmnam	---	"
1022 S. Hanna	---	"
1102 Burgess	---	"
2502 Greenview	---	"
409 - 411 W. Masterson	---	"
2829 Broadway	---	"
311 W. Packard	---	"
2024 California	---	"
2934 Holton	---	"
1406 E. Berry	---	"
511 E. Leith	---	"
237 W. Leith	---	"

5. Received a request from NIPSCO, 1501 Hale, for permission to barricade alley between Edgewater and Columbia east of Tecumseh on March 20 thru March 22, 1979 at all times.
PURPOSE: Gas leak.

Approved and permit issued.

6. Received a request from Land Excavating, Inc. 3333 Engle Road, for permission to barricade both west bound lanes at 211 E. Washington Center Road (about 1000 feet west of U.S. 27) on Thursday, March 22, 1979 from 9:00 a.m. till 1:00 p.m.
PURPOSE: Hooking up water line to tap-in of main water line.

Approved and permit issued.

7. Received a request from NIPSCO (Dewayne Rekeweg) 1501 Hale, for permission to barricade the alley behind 901 Edgewater south of Tecumseh from 1:00 p.m. on 3/26/79 thru 11:00 a.m. on 3/27/79.
PURPOSE: Emergency gas leak repair.

Approved and permit issued.

8. Received recommendation from Martindale - Tourney - Gibson, Inc. Architects, ordering Indiana Bank and Trust Company to pay Weigand Construction Company, Inc. $12,220.90 from Escrow Account for project for the General Construction of Humane Shelter - EDA Project No. 06-51-26280.

Approved.

9. Received invoice of Weigand Construction Company, Inc. in the amount of $500.00 prepared and approved by Martindale - Tourney - Gibson, Inc. for general construction of Humane Shelter EDA Project NO. 06-51-26280.

Approved and ordered paid from LPW II.

10. Received recommendation from Cole - Matott, Architects, ordering Indiana Bank & Trust Company to pay W. A. Sheets & Sons, Inc. in the amount of $30,162.00 from Escrow Account for project for General Construction of "Old City Hall" EDA 06-51-26917.

Approved.

11. Received Certificate of Substantial Completion Contractor's Affidavit of Payment of Debts and Claims and Consent of Surety Company to final payment for W. A. Sheets and Sons, Inc., General Contruction Contractor, for Restoration of Old City Hall - EDA 06-51-26917.

Approved.

12. Received Contractor's Affidavit of Payment of Debts and Claims and Consent of Surety to make final payment to Weigand Const. Company, Inc. for General Construction of Humane Shelter EDA - 06-51-26280.

Approved.

13. Received quotation from the Purchasing Agent for the proposed purchase of Mueller Hydrant Parts for the Water Maintenance & Service Department: Parts are for Mueller A-429 Traffic Type Fire Hydrants:

TREATY COMPANY ---------- $2,790.84.

Bid of Treaty Company was accepted under Purchase Order No. 0972 in the amount of $2,790.84.

Ordered sent to the Common Council on Tuesday, April 10, 1979 at 8:00 p.m.

14. Received inspection report from the Street Engineering Department and Guaranty Bond of Environmental Properties (THOMAS J. ECKRICH) in the amount of $5,600 signed by American States Insurance Company for FOXCROSS COURT - streets and sidewalks in Canterbury Green, Phase VII.

Approved and ordered acceptance letter written.

15. Received Invitational Bids taken by Street Engineering Department for pot hole filling on City streets as follows: (67-78-14)

(1) WAYNE ASPHALT & CONST.

Equipment & Labor	$222.00/hr.
Tack Coat Material	885.00/ton
Alt. Asphalt Bid	20.00/ton

(2) DAILEY ASPHALT PROD. CO.

Equipment & Labor	$224.00/hr.
Tack Coat Material	882.00/ton
Alternate Asphalt Bid	21.00/ton

(3) HIPSKIND ASPHALT CORP.

Equipment & Labor	$222.00/hr.
Tack Coat Material	885.00/ton
Alternate Asphalt Bid	18.00/ton

(4) BROOKS CONST. CO.

Equipment & Labor	$222.00/hr.
Tack Coat Material	885.00/ton
Alt. Asphalt Bid	22.00/ton

(5) MOELLERING CONST. CO., INC.

Equipment & Labor	$225.00/hr.
Tack Coat Material	900.00/ton
Alternate Asphalt Bid	20.00/ton

Approved each bid. Ordered Purchase Orders issued from MVH For following areas:

AREA:	CONTRACTOR:
#1-NE	DAILEY ASPHALT PROD. CORP.
#2-NW	BROOKS CONST.CO.
#3-SW	WAYNE ASPHALT & CONST.
#4-C&S	MOELLERING CONST. CO.
#5-SE	HIPSKIND ASPH. CORP.

16. Received a request from Suelzer Moving Company, 4325 Mever Road, for permission to barricade at all times on Friday and Saturday, March 30 and 31, 1979 the following:
(1) Hood first three meters south of Douglas on east side of Harrison.
(2) Hood first five meters east of Harrison on north side of Brackenridge.
(3) Hood six meters on south side of Douglas in front of middle doors (without steps) of Lincoln Life Building.
PURPOSE: Moving of several Lincoln Life Offices to new building in 1200 block of Harrison.

Approved and permit issued.

16. Received a request from Moellering Construction Company (Dick Knappenberger - Street Engr.) 3400 Engle Road, for permission to barricade Nuttman Avenue 200' East Freeman (entire road) from Monday, April 2, 1979 thru Friday, April 20, 1979 (3 weeks) at all times.
PURPOSE: City Project - rebuild R. R. crossing.

Approved and permit issued.

17. Received a request from DeMolay (Tim Tribbett) 3412 Inwood Drive, for permission to hold a parade on Saturday, May 5, 1979 from 10:00 a.m. and ending at 10:30 a.m. Route to be traveled: Leave Beacon at Kenwood; down Beacon to Lynn; down Lynn to Rolston; down Rolston to Clara: down Clara to Beacon and down Beacon to 2402 Beacon Nursing Home. Number of persons: 100; Number of vehicles: four.
PURPOSE: 100th Birthday Celebration.

Approved and permit issued.

18. Received a request from Northcrest Little League, % Carol Kalb, 7117 Cranberry Road, for permission to hold a parade on Saturday, May 12, 1979 from 9:00 a.m. till 9:45 a.m. Route to be traveled: Wakefield and Riveria - Stony Run and Camden (baseball field)
PURPOSE: Opening Day - baseball.

Approved and permit issued.

19. Received a request from Indiana Construction Company, Bill Losher, 4625 Industrial Road, for permission to barricade the sidewalk on west side of Lafayette Street along old W & D Warehouse (Latz Bldg.) from Washington St. 200' south on Friday, March 30, 1979 from 9:00 a.m. till 3:00 p.m.
PURPOSE: Shoring side of building.

Approved and permit issued.

20. Received a request from Terry Gach, Room 920, City County Building, for permission to barricade East curb lane of Harrison Street immediately south of Main Street on Friday, April 13, 1979 till Monday, April 16, 1979 from 9 a.m. till 6:00 a.m.
PURPOSE: Placing dumpster (cleaning out building).

Approved and permit issued.

Meeting adjourned at 10:45 a.m.

Edward N. LaMar

BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, April 2, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Monday, March 26, 1979 at 9 a.m. and
Wednesday, March 28, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications:

1307 and 1311 Applewood Rd. -----A. D. Delagrange
1335, 1406, 1418, 1426, 1432
Springbrook Road ----------A. D. Delagrange
910 Cottage ----------Carrington & Assoc.

Approved and permit issued.

4. Received driveway applications:

910 Cottage Ave. ---------- Carrington & Assoc.
4111 - 4115 Harris Rd. ------ Frontier Homes
4119 - 4121 Harris Rd. ------ Frontier Homes
5721 Larchwood Run ---------- R. D. Witmer, Inc.
1826 Papermill Crossing ----- Frontier Homes

Approved and permit issued.

5. Received recommendation of the Special Committee to review proposals of consulting engineers for Combined Sewer Overflow Project (Project C-180775) to award Sub-agreement to Reid, Quebe, Allison, Wilson and Associates, Inc. of Indianapolis.

Approved. A true copy is incorporated herein.

Approval subject to EPA endorsement of Grant Amendment on C-180775, subject to City Council approval and subject to the approval of the Consultants Sub-agreement by the Indiana Stream Pollution Control Board and EPA.

6.	Received plat of Shannonside, Section I Amended submitted and approved by the City Plan Commission.	Approved.
7.	Received plat of Arlington Park, Section XI submitted and approved by the City Plan Commission.	Approved.
8.	Received plat of Arlington Park Section XII submitted and approved by the City Plan Commission.	Approved.
9.	Received a petition for the installation of new curbing on North Anthony Boulevard from the Maumee River North to Crescent Avenue.	Approved and ordered the Street Engineering Department to investigate and report. Board Order No. 21-79.
10.	Received a petition for the installation of repair of street lighting on North Anthony Boulevard from the Maumee River North to Crescent Avenue.	Approved and ordered the Street Lighting Engineering Department to investigate and report. Board Order No. 22-79.
11.	Received Wage Agreement between the City of Fort Wayne and the International Brotherhood of Firemen and Oilers, Local Union #28, AFL-CIO for the years 1979 and 1980.	Approved and on file in the Board of Public Works.
12.	Received Invoice #9 of Hagerman Construction Corporation in the amount of $9,700.00 approved by McNamee, Porter and Seeley, Consulting Engineers, covered by Contract No. 77-W-1 for Water Works Improvements - Wash - water Retention Basin. (FINAL PAYMENT).	Approved and ordered paid by City Utilities from the Water Utility Fund.
13.	Received Partial Payment Estimate No. 2 of Hagerman-Shambaugh (Joint Bidders) in the amount of $200,879.84 prepared and approved by McNamee, Porter and Seeley, Consulting Engineers, for Water Contract No. 77-W-2, Filtration Plant Expansion.	Approved and ordered City Utilities to pay invoice. Also ordered the amount of $22,319.98 paid to Hagerman-Shambaugh Escrow Account at Fort Wayne National Bank.
14.	Received Invoice No. 70-10-210-01-1-07 of McNamee, Porter and Seeley in the amount of $8,774.65 approved by the General Superintendent of City Utilities for general engineering for water works improvements in accordance with ontract between the City and the Engineers dated December 7, 1970 and Amendment No. 1 dated March 30, 1977.	Approved and ordered City Utilities to pay invoice. Payment is to be made from the Water Utility Fund.
15.	Received Special Sewer Permit for A. D. Delagrange Construction Company prepared and approved by the Water Pollution Control Engineer for the construction of Shoaff Park River Estates, Section B - SANITARY only Sewer.	Approved and Special Sewer Permit issued. Board Order No. 23-79.

16. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of T - G Excavating, Inc. with Guaranty Bond in the amount of $8,000 signed by Fidelity and Deposit Company of Maryland for Crescent Avenue Sanitary Sewer Extension. Acceptance effective Oct. 9, 1978 and terminating maintenance bond on 10/9/79.

Approved.

Ordered acceptance letter written.

17. Received a request from Hall Aluminum Products, 2524 E. Pontiac, for permission to barricade different portions of side-wlk surrounding Lincoln Life Building on Brackenridge, Harrison, Calhoun and Douglas Streets on Wednesday, April 4, 1979 thru Tuesday, July 31, 1979 from 4:00 p.m. till 12:00 Midnight each day.
PURPOSE: Construction work on Lincoln Life Building.

Approved and permit issued.

18. Received a request from Edwin Neil Voirol, 1601 Oakland St., for permission to adopt a lot at 1323 Taylor Street - W½ Lot 4, Riedmiller's Add. for the period beginning April 3, 1979 and ending on October 31, 1979.
PURPOSE: Gardening only.

Approved and permit issued.

19. Received a petition for the installation of sanitary sewer on East Shore Drive from St. Joe Center Road to Garden Road. and 11 St Joe Center Road.

Approved. Ordered Water Pollution Control Engineering Department to investigate and report.

Board Order No. 20-1979.

Meeting asjourned at 10:15 a.m.

Edward N. Barman

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, April 4, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permits issued.

1511 Gardendale ---------- Gene Kunberger
6224 Goodfellow ---------- Snouffer & Goldsberry
6304 Goodfellow ---------- Snouffer & Goldsberry
6311 Goodfellow ---------- Snouffer & Goldsberry
3925 Monument ---------- Snouffer & Goldsberry

4. Received street cut applications: — Approved and permits issued.

Bohnke & Kendawa - S/White Eagle ------ NIPSCO
3107 Brooklyn -C.U. Water Maint.
Essex Lane 320' W/Center line of Coldwater Rd. -Ind. & Mich.
505 W. Fourth (prkstrp) -C.U. Water Maint.
2610 John -NIPSCO
Lake from 500' W/Hobson Rd to 100' E/Hobson Rd. -Gen. Tele.
5725 Lancashire Ct. -NIPSCO
Along the E. r/w Lough Nest -Gen. Tel.
125 W. Main (alley) -Shambaugh & Son
1311 Markwood Rd. -NIPSCO
1826 Papermill Crossing - "
2029 Parnell (prkstrp) -C.U. Water Maint.
353 Pursley -J & G Co.
1708 Richardson -NIPSCO
1823 Shambrock Rd. - "
4610 Speedway Dr. -Troy Wilson
1318, 1324, 1328, 1330, 1412, 1437, and across from 1335, 1405, 1411, 1419, 1425, & 1431 Springbrook Rd. ---------- NIPSCO
3113 Thompson -C.U. Water Maint.
3676 Wells -Ground Services
No. curb line of Maumee 18' E/University ----------Gen. Tele.

305 W. Pontiac	---------	NIPSCO
1201 Korte	---	"
109 W. Superior	---	"
928 Liberty	---	"
2922 Oliver	---	"
316 E. Leith	---	"
Superior & Calhoun	---	"
1608 Schilling	---	"
2913 Euclid	---	"
551 Commerce	---	"
905 Crescent	---	"
1121 Liberty	---	"

5. RECEIVE BIDS:

Sewer Improvement Resolution No. 877-79
Wilkie's Addition Sanitary Sewer.

BERCOT, INC. ------ $71,445.00

T - G EXCAV, INC.-- $70,633.25

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award contract on Wednesday, April 11, 1979 at 9 a.m.

6. RECEIVE BIDS:

Sidewalk Improvement Resolution No. 5818-78 for the construction of sidewalk at 1030 and 1038 St. Joseph Boulevard.

CARRINGTON & SONS ------- $4,677.80

DAILEY, INC. ---------- $6,347.50

HIPSKIND CONCRETE ------ $3,577.45 (no non-collusion affidavit.

Referred to the Street Engineering Department for tabulation and report.

Award contract on Wednesday, April 11, 1979 at 9:00 a.m.

7. Received Sewer Extension Agreement by and between Southtown Mall Development Company and the City of Fort Wayne for relocation, reconstruction and rededication of both the existing City owned Southtown Sanitary Pump Station and certain publicly dedicated sanitary sewers.

Approved and ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.
H.I.

8. Received plans and specifications from James Associates - Fort Wayne, Inc. for the construction of the West Central Neighborhood Community Center located at the southwest corner of Broadway and Wilt in the City of Fort Wayne, Indiana.

Approved.

Advertise Notice to Contractors on April 7 and 14, 1979.

Receive bids on Wednesday, April 25, 1979 at 9:00 a.m.

9. Received Agreement between City of Fort Wayne, by its Board of Public Works and Department of Community Development and Planning and West Central Neighborhood Committee, Inc. for financing and construction of a Neighborhood Center.	Approved. A true copy is incorporated herein.
10. Received recommendation of Water Pollution Control Engineer to grant a partial release of easement which had been granted to City by Charles N. Hall on January 7, 1974 and recorded on Document 74-00464 over certain property in E½ of SE¼ of Section 14, Township 31 N, Page 12 E (North of Washington Center Road and West of Coldwater Road) in exchange for a 14 foot sewer easement across said property.	Approved. A true copy is incorporated herein. Note: On May 18, 1979 ordinance was sent to Common Council for June 12, meeting for approval of partial release of sewer easement and authorization to execute quit-claim deed for this real estate.
11. Received a petition for curbing on Woodward Avenue from Curdes to Lawndale.	Approved. Ordered Street Engineering Department to investigate and report. Board Order No. 24-1979.
12. Received a petition for the vacation of the following alleys located within the City of Fort Wayne, Indiana, and described as follows: Item #1 The north-south alley extending south from the south right-of-way of Wilt Street to the north right-of-way of Lavina Street, located east of Van Buren Street and west of Broadway. Item #2 The east-west alley extending east from the east right-of-way of Van Buren Street to the west right-of-way of Broadway, located south of Wilt Street and north of Lavina Street. FOR: WEST CENTRAL NEIGHBORHOOD DEVELOPMENT PROGRAM AREA.	Approved.
13. Received invoice of Cole-Matott, Architects, in the amount of $6,837.90 for architectural services for renovation of OLD CITY HALL, EDA Project No. 06-51-26917. (Final). Services from May 26, 1978 thru March 29, 1979. This is invoice #3.	Approved and ordered paid from LPW II.

14. Received contract, guaranty and liability bonds in the amount of $163,852.50, prepared and approved by the Water Pollution Control Engineering Department signed by O'Rourke, Andrews & Maroney, Inc. for Sewer Resolution No. 305-78 - Tillman Road - Southtown Mall Sanitary Sewer Lift Station Elimination.

Approved.

Ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

15. Received quotation from the Purchasing Agent for the proposed purchase of dust removal units for Carbon Slurry Storage Tanks for the Three Rivers Filtration Plant:

FULLER COMPANY --------- $4,880.00

The bid of Fuller Company was accepted under Purchase Order No. 0998 in the amount of $4,880.00.

Ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

16. Received Agreement from Epiphany Lutheran Church, 6606 Maplecrest Road, to pay area connection fees due City of Fort Wayne in the total amount of $3,441.96 as follows: (MAPLECREST -ROTHMAN RD. SEWER 298-77)

1st payment: $1147.32 due on issuance of permit.
2nd payment: $1147.32 due Jan. 1, 1980
3rd payment: $1147.32 due Jan. 1, 1981.

Approved.

17. Received Agreement between ISHC and City of Fort Wayne concerning Use of Federal-Aid Funds for MG-F016 (3), Item #90471, MG-F016 (4), Item #90472 and MG-F024 (2), Item #90473 for N & W Railroad Crossings at Anthony (2) and at Ardmore (1).

Approved. A true copy is incorporated herein.

18. EMERGENCY RESOLUTION NO. 67-103-18

WHEREAS, a Water Main break occurred on Lower Huntington Road at Norfolk & Western Railroad; and

WHEREAS, an Emergency exists for immediate repair; and

WHEREAS, Water Engineering Department received invitational bids for said repair from Bercot, Inc. in the amount of $8,912; John Dehner, INc. in amount of $8,490; and T - G Excavating, Inc. in the amount of $7,978:

NOW, THEREFORE, theBoard of Public Works hereby declares an Emergency exists to repair said water main and orders Water Engineering to request City Utilities to issue a purchase order to T - G Excavating, Inc. for the lowest bid in the amount of $7,978.

Approved and adopted this April 4, 1979.

A true copy is incorporated herein.

Meeting adjourned at 10:25 a.m.

Edward D. DeMay

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, April 5, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. HEARING ON CONFIRMATION:

Water Main Improvement Resolution No. 1013-79 for the construction of water main in and along East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition.

Continued to April 12, 1979 at 3:30 p.m.

2. Permission was granted to Cordis Middleton, 2913 Chestnut, to use property at 2204 Weisser Park from April 5, 1979 and ending on October 31, 1979 for gardening purposes only. (N½ Lot 5, Green & Forbing's Add.). PURPOSE: Gardening.

Approved and permit issued.

3. Received a request from Water Pollution Control Engineer to hold a Public Hearing on MASTER SEWER SYSTEMS FACILITY PLAN for THE SPY RUN AREA.

Advertise Notice of Public Hearing - April 7 and May 7, 1979.

Public Hearing will be held on Tuesday, May 22, 1979 at 7:00 p.m.

Meeting adjourned at 4:00 p.m.

E. H. LaMar

BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, April 9, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, M.G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, April 2, 1979 at 9 a.m.; Wednesday, April 4, 1979 at 9 a.m. and Thursday, April 5, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

4012, 4018, 4024, 4030 and 4102 Aspen Court ---------- J. Pelkington
1217 Louisedale ---------- J. Pelkington

4. Received street cut applications: — Approved and permits issued.

7325 Baer Rd.	--- NIPSCO
N/E cor. Calhoun & Superior	--- Gen. Tele.
917 Florida (alley)	--- NIPSCO
2900 Goshen (prkstrp)	--- Brooks Const.
4111 - 4115 & 4119 - 4121 Harris Rd.	--- NIPSCO
4740 Industrial Rd. (prkstrp)	--- C.U. Water Maint.
N/E cor. University & Maumee	--- Gen. Tele.
4108 Sheraton Dr.	--- NIPSCO
1616 S. Dale Ave. (prkstrp)	--- Charles Ordone
2700 Tyler	--- C.U. Water Maint.
3310 Varsity Lane	--- NIPSCO
1311 E. Wallace	--- SS Structures
1710 S. Calhoun	--- NIPSCO
1312 Hugh	--- "
1927 Pine	--- "
404 Madison	--- "
1917 Florida	--- "
512 Jackson	--- "
3213 Rogers	--- "
1912 Broadway	--- "

5. Received driveway applications: — Approved and permits issued.

1307, 1331, 1335 and 1406 Applewood Rd. -----A.D. Delagrange
4018, 4024, 4102, 4030 and 4012 Aspen Ct. ---Affordable Homes
1217 Louisdale Dr. ----------Affordable Homes
7210 Snowfall Ct. ----------Worthman Homes
1418, 1426 and 1432 Springbrook Dr. ---------A. D. Delagrange

6. Received plat of Stellhorn Village Apartments submitted and approved by City Plan Commission.

Approved.

7. Received Agreement for Sewer Extension between Westwood Development, Inc. and the City of Fort Wayne, Indiana, for Westwood Valley, Section 1.

Approved and ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

A true copy is incorporated herein.

8. Received invoice of Carrington & Associates, Inc. in the amount of $4,790.08 prepared and approved by the Street Engineering Department for Miscellaneous Sidewalk and Curbing repair and replacement.

Approved and ordered paid by Purchase Order No. 4-05219.

9. Received Agreement to Purchase by Jess Kidd, 505 LaSalle Street, from the City of Fort Wayne, property located at 513 LaSalle Street - W 1/2 Lot 266, Lewis Addition to City of Fort Wayne, Allen County, Indiana.

Approved.

Ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

10. Received invitational bids from the Street Engineering Department for Miscellaneous Work for the following: (1) East State Blvd. (2) Crescent Avenue (3) 2306 Leroy Street:

HIPSKIND CONCRETE CORP. -------- $2,491.69

L. W. DAILEY, INC. ---------- $7,388.00

CARRINGTON & ASSOC. ---------- $2,757.10

The bid of Hipskind Concrete Corp. was accepted in the amount $ 2,491.69.

Ordered Purchase Order issued in the amount.

11. Received invitational bids from the Street Engineering Department for Miscellaneous Work for the following: Fairfax and Buell, Rudisill Blvd. adjacent Fire Station and Fairfield and Lexington :

CARRINGTON & ASSOCIATES ---------- $4,440.75

HIPSKIND CONCRETE CORP. ---------- $5,591.00

L. W. DAILEY ---------- $7,649.25

The bid of Carrington & Associates was accepted in the amount of $4,440.75.

Ordered Purchase Order issued in the amount.

12. Received invitational bids from Street Engineering Department for Miscellaneous Work: wingwalks, curbface, sidewalk removal and replacement.

CARRINGTON & ASSOC. ---------- $3,025.20

HIPSKIND CONCRETE CORP. ---------- $3,814.55

L. W. DAILEY, INC. ---------- $5,276.75

The bid of Carrington & Associates was accepted in the amount of $3,025.20.

Ordered Purchase Order issued in the amount.

13. Received Certificate of Substantial Completion for Shambaugh & Son, Inc. (Mechanical work); Havel Bros., Inc. (Electrical Work); and Weigand Construction Company (General Construction Work) for Addition and Remodeling for Humane Shelter. EDA 06-51-26280. — Approved.

14. Received a request from General Telephone Company, 525 Tecumseh, for permission to barricade south lane of Main Street between Calhoun and Maiden Lane on April 10, 1979 thru April 12, 1979 from 6:00 a.m. till 6:00 p.m.
PURPOSE: Dig test holes for street project widening of Main Street. — Approved and permit issued.

15. Permission was granted to Beola Huneycutt, Nutrition Project Director -815 Francis Street, to use property at 1430 Eliza Street for the period beginning on the 6th day of April, 1979 and ending on October 31, 1979 for gardening purposes only. — Approved and permit issued.

16. Received a request from Allen County Council of Veterans Organizations (Harold E. Brubaker) 2710 S. Calhoun, for permission to barricade "No Parking" signs to be posted and barricades placed at the following locations on Monday, May 28, 1979, 6:30 a.m. till 10:00 a.m.
(1) Parnell from Forest to Coliseum parking lot.
(2) Fricke from Parnell to Eade.
(3) Nettie from Parnell to Eade.
(4) Stadium from Parnell to Eade.
(5) Charlotte from Parnell to Eade.
PURPOSE: Memorial Day Parade. — Approved and permit issued.

17. Received a request from Allen County Council of Veterans Organizations (Harold E. Brubaker) 2710 S. Calhoun Street, for permission to hold a parade on Monday, May 28, 1979 from 10:00 a.m. to 12:00 Noon starting at State and Parnell and terminating at Coliseum Parking Lot.
Approximately 900 persons, 31 animals and 17 vehicles will be participants.
PURPOSE: Memorial Day Parade. — Approved and permit issued.

18. Received a request from Veterans of Foreign Wars, James E. Parke, 2318 Fox Avenue, for permission to hold a parade on Saturday, June 16, 1979 from 10:00 a.m. till 12:00 Noon starting at West Wayne and Van Buren and terminating at Calhoun and Superior.
Approximately 1000 persons, 50 animals and 60 vehicles will be participants.
PURPOSE: Convention. — Approved and permit issued.

19. Received a request from Veterans of Foregin Wars, James E. Parke, 2318 Fox Avenue, for permission to barricade the following on Saturday, June 16, 1979 from 9:00 a.m. till Noon:
(1) Washington - Rockhill to Calhoun.
(2) Berry - Rockhill to Calhoun
(3) Calhoun - Wayne to Superior.
(4) Wayne and Rockhill.
PURPOSE: Line up 11 divisions of parade going down Wayne from Van Buren to Calhoun to Superior. — Approved and permit issued.

20. Received a request from Parks and Recreation Department, City-County Building - 8th Floor, for permission to barricade Berry Street between Harrison and Calhoun on Saturday, July 7, 1979 from Noon till 4:00 p.m.
PURPOSE: Skateboard contest during Three Rivers Festival.

Approved and permit issued.

21. Received a request from Parks and Recreation, City-County Building, 8th floor, for permission to barricade Harrison blocked off between Lewis and Baker and Lewis and Baker blocked off at Webster and Harrison (around the Post Office area on Thursday, July 12, 1979 from 5:00 p.m. till 9:00 p.m.
PURPOSE: Bed race during the Three Rivers Festival.

Approved and permit issued.

22. Permission was granted to Big Brothers - Big Sisters (Frank Zirille) 919 Fairfield, to hold a parade on Saturday, August 18, 1979 from 8:00 a.m. till 12:00 Noon. Route to be traveled: Park Drive - Hartman Rd., Sherwood Terrace, Stratford, Westover and Hartman Park Drive. Approximately 750 to 1,000 persons will be participants.
PURPOSE: 5 mile run.

Approved and permit issued.

23. Permission was granted to Lincoln National Bank (Bill Leming) 116 E. Berry, to hold a parade on Sunday, October 21, 1979 from 2:00 p.m. till 3:30 p.m. Route to be traveled with approximately 2,500 participants: Main St. - Columbia - Edgewater - Delta - Columbia - Garfield - Forest Park - East Dr. - West Dr., - Forest Park - Lake - Columbia - Lake - California - Vermont - Kentucky - Tennessee - St. Joe Blvd. - Columbia - and Main Street.
PURPOSE: 10,000 Meter Run.

Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry L. Wehmhoff

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, April 11, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permits issued.

1211 E. Wallace	SS Structures
1311 E. Wallace	SS Structures

4. Received street cut applications: — Approved and permits issued.

1418 Broadway (alley)	Zimmerman Excav.
1027 S. Calhoun	J & G Disconnect
1023 S. Calhoun	"
1021 S. Calhoun	"
1019 S. Calhoun	"
California Rd. 600' ± east of Parnell Ave.	Gen. Tel.
2901 Chestnut (alley)	Golden Rule Sewer Serv.
6215, 6219 and 6216 Landover Pl.	NIPSCO
6223 Orchard Lane	"
1439 Stophlet	"
Stuart & Riviera (prkstrp)	C.U. Water Maint.
1923 E. State	Gen. Tel.
1921 Spring (prkstrp)	NIPSCO
1512 Lumbard "	"
5114 Martinique (prkstrp)	"
1023 S. Calhoun	"
3135 S. Wayne	"
1115 Tennessee	"
1027 S. Calhoun	"
2702 N. Highland	"
1025, 1019 and 1017 S. Calhoun	"
1609 Beach	"
1208 Dodge (prkstrp)	"

5. Received tabulation and recommendation prepared by the Street Engineering Department for Sidewalk Resolution No. 5818-78 for 1030 and 1038 St. Joe Boulevard. — Reject all bids.

6. Received tabulation and recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 877-79 for the construction of sanitary sewer in Wilkie's Addition.

Continue to Wednesday, April 18, 1979 at 9 a.m.

7. RECEIVE BIDS:

Water Contract No. 7903 - Baer Road - McArthur Drive Feeder Main - Phase I

Referred to Water Engineering Department for tabulation and report.

Award contract on Wednesday, April 18, 1979 at 9 a.m.

		ALTERNATE:
BERCOT, INC. ----------	$55,111.95	$39,498.20
JOHN DEHNER, INC. ---------	69,963.00	48,133.00
FOX CONTRACTORS CORP. -----	44,630.51	33,015.33
NOBIS CONST. CO. ---------	58,451.00	44,859.00
T - G EXCAVATING CO. ------	49,726.60	35,868.75

8. RECEIVE BIDS:

Curb and Sidewalk Resolution No. 5826-79 for Old Trail Road - Bluffton Road area:

Referred to the Street Engineering Department for tabulation and report.

Award contract on Wednesday, April 18, 1979 at 9 a.m.

BROOKS CONST. CO. ----------	$198,032.83
DAILEY, INC. ----------	$219,983.95
HIPSKIND ASPHALT CORP. -----	$195,913.25
MOELLERING CONST. CO. ------	$198,523.50
RIETH-RILEY ----------	$223,908.50
SPEARS-DEHNER, INC. --------	$226,676.16

9. Received partial payment estimate No. 3 of Spears-Dehner, Inc. in the amount of $9,712.80 approved by the Water Pollution Control Engineering Department for Sewer Resolution No. 303-78 Monarch Park Drain Improvement - Phase II.

Approved and ordered invoice paid from Revenue Sharing Account 4-02-134-449-4200.

Also ordered $1,079.20 paid to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank & Trust Company.

10. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Gene B. Glick Company, Inc. in the amount of $17,648.48 signed by The Aetna Casualty and Surety Company for Fairington Apartments of Fort Wayne.

Approved.

Ordered acceptance letter written.

11. Received Final Value Engineering Report, Phase C, Advanced Wastewater Treatment, Water Pollution Control Plant prepared by Howard Needles Tammen & Bergendoff (EPA Project No. C-180774-02).

Approved. Sent to ISPC Board and U.S. Environmental Protection Agency for review.

12. Received petition for removal and replacement of curbs on Buena Vista from Dodge to Lawndale.

Approved. Ordered Street Engineering Department to investigate and report.

Board Order No. 27-1979.

13. Received Acceptance Agreements for New Equipment and Material Division I - Water Pollution Control Plant Expansion Water Quality Control Project EPA No. C-180538-01 recommended by H.N.T & B - Henry B. Steeg and Assoc. Div. - and accepted by Hagerman - Shambaugh (Joint Venture):

    1. 300 Horsepower G. E. Blower motor on existing Blower #2, Specification Item D11/9.

    2. Constant Pressure Pumping system including all six pumps and motors of Systems #1 and #2 and all automatic controls, valves, instrumentation in Specification Item D11/27.

    3. Amarillo Right Angle Drive Unit, Specification Item D11/33.

    4. New Pratt Aeration Butterfly valve and operators, Specifications Section D12.

    5. 4 New 36" x 36" Sluice Gates and Motor Operators on Aeration Tanks 6, 7, 8 and 9, Specification Item D11/47.

    6. 5 New Sluice Gate Operators for Existing Gates at Aeration Tanks 1, 2, 3, 4 and 5, Specification Item D11/47.

    7. New Fischer Porter Magnetic Flowmeters, Spec. D11/45.

Meeting adjourned at 10:55 a.m.

Henry B. Wichmann

Edward W. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, April 12, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Continued from April 5, 1979
HEARING ON CONFIRMATION:

Water Main Improvement Resolution No. 1013-79 for the construction of water main in and along East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition.

CONFIRMED.

Advertise Notice to Contractors, April 20 and April 27, 1979.

Receive bids on Wednesday, May 2, 1979 at 9 a.m.

Ordered the Water Engineering Department to prepare bid documents.

2. HEARING ON CONFIRMATION:

Sewer Easement Resolution No. 167-79 for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across area bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (S.R. #3).
(SEWER RES. NO. 878-1979.

CONFIRMED as AMENDED.

Ordered the Water Pollution Control Engineering Department to prepare assessment roll of Benefits and Damages.

H.I.

3. HEARING ON CONFIRMATION:

Sanitary Sewer Improvement Resolution NO. 878-1979, Divisions I and II - Ludwig Park Area.
(SEWER EASEMENT RES. NO. 167-1979).

CONFIRMED.

Advertise Notice to Contractors on April 20 and April 27, 1979.

Receive bids on Wednesday, May 2, 1979 at 9:00 a.m.

Ordered the Water Pollution Control Engineering Department to prepare bid documents.

Meeting adjourned at 4:55 p.m.

Henry P. Wehrenberg

Edward H. LaMar

M. G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, April 16, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, April 9, 1979 at 9 a.m.; Wednesday, April 11, 1979 at 9 a.m. and Thursday, April 12, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received driveway applications:

Approved and permits issued.

2900 Goshen Rd. ---------Brooks Const.
6211 Highgate Pl. -------Kirk Scheeler
5718 Sandra Lee Ave. ----Delagrange Homes, Inc.

4. Received sidewalk application:

Approved and permit issued.

5718 Sandra Lee Ave. --- Delagrange Homes, Inc.

5. Received street cut applications:

Approved and permits issued.

Broadway & Martin ----------	C.U. Water Maint.
1817 Charlotte (prkstrp)	- "
6127 Chicory (prkstrp)	- "
4340 Deforest (prkstrp)	- "
1710 Fairfield	- NIPSCO
6429 Georgetown - N. Blvd. (prkstrp)	- C.U. Water Maint.
1807 High	- "
1926 Huffman	- "
Indianapolis Rd. - (Dalman Rd. Northward 1100 ± Et. (prkstrp)	- D. L. Foland
2328 John (prkstrp)	- C.U. Water Maint.
2520 Kensington	- NIPSCO
1230 E. Lewis	- C.U. Water Maint.
Oakdale, E. at Broadway	- "
3324 Pavilion Ct. (prktrp)	- "
2429 Weisser Pk. (prkstrp)	- "
1126 W. Jefferson (alley)	- NIPSCO
1025 Paulding (Smith)	- "
1707 Scottsdale	- "
1027 S. Calhoun	- "

6. Received plat of The Meadows in the Park approved and submitted by the City Plan Commission.

Approved.

7. Received a petition for the removal and replacement of sidewalk fronting 2812 Plaza Drive.

Approved.

Ordered the Street Engineering Department to investigate and report.

Board Order No. 28-1979.

8. Received a petition for the replacement of curbing on Fractional Lot #61 Riverside 2nd Exc., E108.5 ft. (1003 Ferguson Avenue).

Approved.

Ordered the Street Engineering Department to investigate and report.

Board Order No. 29-1979.

9. Received quotations from the Purchasing Agent for the proposed purchase of Butterfly Valves for the Water Maintenance & Service Department:

The bid of American Darling was accepted under Purchase Order No. 001015 in the total amount of $11,745.00.

Ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

Supplier:	(4) 24" Valves	(2) 16" Valves	(1) 20" Valves	TOTAL:
AMERICAN DARLING	$2,115.00 ea.	$ 935.00 ea.	$1,415.00 ea.	$11,745.00
TREATY CO.	2,376.00 ea.	991.10 ea.	1,598.50 ea.	13,084.70
KENNEDY VALVE MFG.	2,608.20 ea.	1109.78 ea.	1,795.65 ea.	14,448.01
V. R. MYERS PUMP	2,612.00 ea.	1197.00 ea.	1,773.00 ea.	14,619.00
UNDERGROUND PIPE & VALVE	2,815.00 ea.	1353.00 ea.	2,037.00 ea.	16,003.00
WATER WORKS SUPPLIES	3,030.00 ea.	995.00 ea.	1,635.00 ea	15,745.00
DRESSER MFG.	2,133.00 ea.	907.00 ea.	1,431.00 ea.	11,777.00

10. Received invoice of Moellering Construction Company, Inc. in the amount of $400.00 prepared and approved by the Street Engineering Department covering removal of concrete debris form the N.E. section of Lot 40, Gardendale Addition (Tillman & Old Decatur Roads).

Approved and ordered paid from MVH Funds.

11. Received a request from Sylvester Moore, 2842 South Lafayette, for permission to adopt-a-lot at 2902 S. Lafayette Street (Lot 1, Fleming and Esmond for the period beginning on the 12th day of April, 1979 and ending on the 31st day of October 1979 for gardening or tot lot ONLY.

Approved and permit issued.

12. Received quotations from the Purchasing Agent for the proposed blanket purchase of 9,000 ton Type I Bulk Rock Salt for the Street Department:

MORTON SALT COMPANY --------- $22.90

INTERNATIONAL SALT CO. ------ $23.40

DEMTAR CHEMICALS, INC. ------ $23.73.

The bid of Morton Salt Company was accepted in the amount of $22.90 per ton under Purchase Order No. 4-06184.

Ordered sent to the Common Council on Tuesday, April 24, 1979 at 8:00 p.m.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Edward N. La Mar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, April 18, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications:

Approved and permits issued.

3326 Amulet ---------- Ned Keener Const.
329 N. Cornell Circle --- "
2417 Lynn --- "
2612 Woodward --- "
Fairfax & Buell --- "
(alley) Rudisill E.of Lafayette
Fairfield & Lexington ------- Carrington & Assoc.

4. AWARD CONTRACT:

Received tabulation and recommendation prepared by Street Engineering Department for Curb and Sidewalk Improvement Resolution No. 5826-1979 - Bluffton Road and Old Trail Road Intersection.

AWARD contract to Hipskind Asphalt Corp. at and for their bid in the amount of $195,913.25 subject to councilmanic approval

Ordered the Street Engineering Department to prepare contract and necessary documents.

5. AWARD CONTRACT:

Received tabulation and recommendation prepared by Water Engineering Department for Water Contract 7903 - Baer Road - McArthur Drive Feeder Main, Phase I.

AWARD contract to Fox Contractors at and for their bid in the amount of $44,630.51 subject to councilmanic approval and subject to receiving agreement for financial participation from Rogate, Inc. & Knapke Realty.
Ordered contract from Water Engr.

6. AWARD CONTRACT: Continued from April 11, 1979

Received tabulation and recommendation prepared by Water Pollution Control Engineering Department for Sewer Improvement Resolution No. 877-1979 - Wilkie's Addition Sanitary Sewer.

AWARD contract to T - G Excavating Inc. at and for their bid in the amount of $70,633.25 subject to councilmanic approval.

Ordered the Water Pollution Control Engineering Department to prepare contract and necessary documents.

7. Pursuant to report from the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-offs as per list submitted: Water --- $4,421.33 and Sewer --- $3,844.96 (total: $8,266.29).	Approved.
8. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Land Excavating, Inc. with Guaranty Bond in the amount of $2,000 signed by Great American Insurance Company for Denny's Restaurant, 4916 Lima Road Sanitary Sewer.	Approved. Ordered acceptance letter written.
9. Received Building Encroachment Easement, NOTICE OF RECOGNITION OF ENCROACHMENT UPON CITY OF FORT WAYNE CONTROLLED PROPERTY AND PROVISIONS ALLOWING THE TEMPORARY CONTINUANCE OF SAME, for Ball Diamond Fence Encroachment by Fort Wayne Turners into Baals Drive street right-of-way.	Approved.
10. Received petition from Indian Village Community Association Board of Governors, Craig P. Johnson, Pres., for sidewalk improvement for the entire Indian Village area.	Approved. Ordered the Street Engineering Department to investigate and report. Board Order No. 31-79.
11. Received Agreement between Gene Keller & Sons, Inc. and City of Fort Wayne, Indiana, for the construction of sanitary sewers within Tamera Place more commonly known as Tamera Place Addition Sanitary Sewers.	Approved. A true copy is incorporated herein.
12. Received request from Hagerman Constrution Corporation for the release of $5,000 Escrow Account at Lincoln National Bank & Trust Company per agreement dated January 16, 1978 for Water Contract No. 77-W-1 - WASH WATER RETENTION BASIN.	Approved.
13. Received invoice of Waring Lites of Indiana, Inc. in the amount of $34.72 approved by Street Engineering Department for barricades at the Bluffton - Old Trail Road intersection per Improvement Resolution No. 5826-79.	Approved. Ordered paid from LRS Account No. 310-001.
14. Received invoice of Carrington & Associates Inc. in the amount of $1,528.00 approved by the Street Engineering Department covering work on Romane Court in Tower Heights Addition.	Approved and ordered paid from Purchase Order No. 4-03665.

15. Received invoice from Conrail covering installation of rubber pad crossing and cantilevered flashing light signals at the Fernhill Extended, Fourth Street, Branch M.P. 2.1 crossing in the amount of $1,852.50 approved by the Street Engineering. FERNHILL EXTENDED.

Approved and ordered paid from L.P. [illegible] Account.

16. Received request from Roto Rooter (Jerry Gundy) 3714 Lake Avenue, for permission to barricade at all times the west alley in the 400 block of Buell Drive between Foster Parkway and Branning on Thursday and Friday, April 19 and 20, 1979. PURPOSE: Repair of alley cut with cement.

Approved and permit issued.

17. Received request from L. I. Griffin, 4920 S. Monroe Street, for permission to barricade the following on Monday, April 23, 1979 till Monday, May 28, 1979 from 8:00 a.m. till 5:00 p.m. Monday thru Friday:
1. Main Street - north curb lane from Calhoun west to alley.
2. Calhoun Street - west curb lane from Main Street north 70 feet.
3. Sidewalk on Main Street and Calhoun Street at above locations.
PURPOSE: Demolition of Transfer Building.

Approved and permit issued.

18. Received Special Sewer Permit for Westwood Development, Inc. prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of John Hartman Construction Company to construct sanitary sewer known as Westwood Valley Section I Sanitary Sewer.

Approved and Special Sewer Permit issued.

Meeting adjourned at 11:00 a.m.

Henry P. Michaels

Edward D. DeMarco

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, April 19, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 163-78 for the condemnation of sanitary sewer easement, permanent and temporary, for the purpose to construct, operate, control and maintain a sanitary sewer line along and across a portion of Section 35, Township 30 North, Range 12 East, and Section 36, Township 30 North, Range 12 East, bounded on the north by a line 140 ± feet north of and parallel to the east-west centerline of the northwest quarter section 36, Township 30 north, range 12 east and its westerly extension, bounded on the east by a line 100 ± feet east of and parallel to the North-south centerline of said Section 36, Township 30 North, Range 12 East, bounded on the South by a line 800 ± feet South of and parallel to the East-West centerline of said Northwest quarter Section 36 and its westerly extension, bounded on the West by the Saint Mary's River.

Continued to Thursday, April 26, 1979 at 3:30 p.m.

Remonstrance filed.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 165-78 for the condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of space bounded on the North by a line 240 feet North of and parallel to the North line of Wilkie's Addition; bounded on the South by the North right-of-way line of Wilkie Drive; bounded on the East by the West right-of-way line of North Bend Drive; bounded on the West by the West line of Wilkie's Addition, Section B and its Northerly extension.

CONFIRMED.

Ordered sent to the Department of Finance.

Meeting adjourned at 4:35 p.m.

Henry P. Wehrenberg

Edwin W. LaMar

Mary G Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, April 23, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held April 16, 1979 at 9 a.m.; April 18, 1979 at 9 a.m. and April 19, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved and permit issued.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

600 Coombs ---------- Robert Houser
DeWald W/Hanna N. side -- Robert Houser
418 Elizabeth ---------- Robert Houser
3024 Fairfield ---------- Land Excav.
1420 E. Pettit ---------- Robert Houser
1917 Thompson ---------- Robert Houser
2318 S. Wayne ---------- F.R. Johnloz

4. Received driveway applications: — Approved and permits issued.

1505 Andrews ---------- Hamilton Hunter, Inc.
3326 Amulet ---------- Ned Keener
404, 412, 420, 428, 436, 504, 512,
520, 528 Cook Road - Gerald Hartman
3508 Delray Dr. --------- Ned Keener
5421 Riviera Dr. -------- Carrington & Assoc.
2414 E. State ---------- Irmscher & Sons
5005 Tacoma Ave. -------- Ned Keener
2612 Woodward Ave. ------ Ned Keener

5. Received street cut applications: — Approved and permits issued.

3317 Alexander (alley ---------NIPSCO
Intersec. Anthony & US 27S-----Arrow Elec.
Baker & Calhoun ---C.U. Water
4102 Bowser ---
2110 Forest Park (prkstrp) ---
510 Jackson ---NIPSCO
100 Blk. E. Jefferson ---C.U. Water
Lafayette & Pettit ---Arrow Elec.
Ludwig Pk. Sani. Sewer ---WPC Engr.
5022 Nevada (prkstrp) ---C.U. Water
1110 Osage (parkstrp) ---
5605 Planeview ---NIPSCO
2606 Prairie Grove ---Robt. Houser
5225 Stony Run Lane ---NIPSCO
1125 Tulip Tree Rd. (prkstrp)--C.U. Water

2637 Schele	----------	C.U. Water Maint.
1923 E. State N. side c/l	-	Gen. Tele.
535 W. Wayne	-	NIPSCO
1922 Oakland	-	"
832 Eliza	-	"
545 Home	-	"
460 E. Creighton	-	"
822 W. Berry	-	"
7111 Baer Rd.	-	"
836 E. Lewis	-	"
3629 Hanna	-	"
1718 Vermont	-	"
1115 Tennessee	-	"
531 St. Martins	-	"
1341 Wells	-	"

6. Received a request from Norfolk & Western R. R. (Division of Engineers) P.O. Box 1215, for permission to barricade Taylor Street at railroad tracks just east of McKinley on Monday, April 23, 1979 from 10:00 a.m. till 12:00 Noon.
PURPOSE: Welding a rail in tracks.

Approved and permit issued.

7. Received a request from Allen County Election Board (Louann Griffiths) Room 200 A, Court House, for permission to barricade the following from April 23 thru May 9, 1979 at all times:

1. Six meters at Freimann (Apr. 23 - 29, 1979).
2. 16 meters at Freimann (Apr. 30 - May 9, 1979).
3. 8 meters on west side of 900 block Webster from Wayne to Washington (May 8, 1979 only).

PURPOSE: Hooding meters for Primary Election.

Approved and permit issued.

8. Received partial payment estimate #15 of T & F Construction Corporation in the amount of $21,739.73 approved by the Street Lighting Engineering Department covering Street Lighting and Traffic Signals Resolution No. 125-77 - EDA Project 06-51-26289.

Approved and ordered the amount of $21,739.73 paid to T & F Construction Corp. by the City Controller.

Also, ordered T & F Const. Corp. Escrow Account at Indiana Bank & Trust Company paid the amount of $1,144.16.

Payments are to be made from LPW II Fund.

9. Received executed copy of agreement between the City of Fort Wayne and Consolidated Rail Corp. in co nnection with constructing Fernhill Avenue Extended between Wells Street and Northrop Avenue.

Approved.

A true copy is incorporated herein.

10. Received Indenture from Charles H. and Cora M. McIntosh whereby they grant a 10 ft. permanent easement across East side of Lot 8, Gerke's Trier Road Add., Section I, and a 10 ft. temporary easement across the East side of Lot 8, Gerke's Trier Road Add., Section I, the North side of/and a 15 ft. permanent easement across Lot 7, Gerke's Trier Road Add., Section I and a 15 ft. temporary easement across the North side of Lot 7, Gerke's Trier Road Add., Section I, all in regards to Sewer Easement Resolution No. 154-77, Glenwood Park Lift Station Elimination in consideration of the sum of $1,500.00.

Approved.

Ordered the Water Pollution Control Engineering Department to issue Purchase Order for $1,500.00 payable from the Water Pollution Control Utility Fund.

A true copy is incorporated herein.

11. Received contract, guaranty and liability bonds of T & F Const. Corp. of Indiana in the amount of $33,780.50 prepared by the Street Lighting Engineering Department signed by Fidelity & Deposit Company of Maryland for Street Lighting Contract No. 136-79 for installation of street lighting with underground wiring in Northwest Central Phase III.	Approved. Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8:00 p.m.
12. Received petition for the installation (renewal) of street curbing and parkway curbing on Kensington Boulevard - Lake to State.	Approved. Ordered the Street Engineering Department to investigate and report. Board Order No. 41-79.
13. Received Finding and Judgment in Allen Circuit Court Cause No. CC-78-1585 whereby the City of Fort Wayne is ordered to pay $7,500 to Edna M. Imel and court costs in the amount of $525.00 and whereby the fee simple title in part of Lot No. 8 in a subdivision by Archange Godfrey in the year 1870, of Richardville Reserve on West bank of St. Mary's River, Township 30 N, Range 12 E, is appropriated to the City of Fort Wayne for highway purposes.	Approved. A true copy is incorporated herein. Ordered warrants to Clerk of Allen Circut Court in amounts of $7,500 and $525 from LR & S Funds. Ordered sent to Street Engineering Department for recording.
14. Received Partial Release of Mortgage from Peoples Trust Bank of part of Lot No. 8 in a subdivision by Archange Godfrey in the year 1870, of Richardville Reserve on WEst bank of St. Mary's River, Township 30 N, Range 12 E, is appropriated to the City of Fort ayne for highway purposes.	Approved. A true copy is incorporated herein.
15. Received contract, guaranty and liability bonds of Ground Service, Inc. in the amount of $24,425.00 prepared by the Water Engineering Department signed by United States Fidelity & Guaranty for Contract 79-XP-1 Water Main on Getz Road across West Jefferson Boulevard.	Approved. Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8 p.m.
16. Received Special Sewer Permit for Landau & Heyman, Inc. prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of Hipskind Asphalt Corporation for the construction of storm and sanitary sewers for Glenbrook Expansion, Phase III.	Approved and Special Sewer Permit issued. Board Order No. 42-79.
17. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Gene Keller & Sons, Inc. with Guaranty Bond in the amount of $7,800 signed by Fidelity and Deposit Company of Maryland for Tamera Place Addition Sanitary Sewers.	Approved. Ordered acceptance letter written.

18. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Northeastern Construction Company, Inc. in the amount of $15,250 signed by Insurance Company of North America for Sanitary and Storm Sewer to serve Papermill Bluffs, Section II.

Approved.

Ordered acceptance letter written.

19. Received Memorandum of Agreement between Board of Public Works of the City of Fort Wayne and the Allen County Board of Commissioners for lease of 100 parking spaces on Clinton Street "OLD FORT PARKING LOT" to Allen County Board of Commissioners from March 12, 1979 and ending on December 31, 1979. Agreement is subject to renewal on January 1, 1980 upon agreement by both signing parties.

Approved.

On file in the Board of Public Works.

20. Received Rentention Pond Maintenance Agreement by and between Edward Rose of Indiana, an Indiana Limited Partnership, and the City of Fort Wayne Indiana, for West Wind Apartments.

Approved. A true copy is incorporated herein.

Ordered sent to the WPC Engineering Department for recording.

21. Received invoice No. 78-310-01-0-07 of Howard Needles Tammen & Bergendoff (Steeg Division) in the amount of $11,489.78 for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - Advanced Wastewater Treatment Design Phase B - Task #8. Services rendered for the period of July 23, 1978 through March 30, 1979.
FED. GRANT NO. C-180774-02.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

22. Received Curb and Sidewalk Improvement Resolution No. 5828-1979, final plans, estimate and specifications prepared by the Street Engineering Department for improving by repair and replacement of curb, sidewalks, catch basins and drive approaches on Eliza Street from the east curb line of Gay Street to the west property line of Ohio Street. This area shall be known as EAST CENTRAL -PHASE IV. It is also deemed necessary to improve by repair and replacement of curb, sidewalks, catch basins and drive approaches on both sides of Smith Street from Green Street to Pontiac Street, on the east side of Winter Street from Creighton Avenue to Milan Street, and on both sides of Oliver Street from Pontiac Street to Hurd Street. This latter area shall be known as HANNA-CREIGHTON, PHASE III.
(CITY PAID).

Approved and adopted.
A true copy is incorporated herein.

Advertise Notice to Contractors, April 27 and May 4, 1979.

Receive bids on Wednesday, May 9, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

23. Received Improvement Resolution No. 5832-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving by construction of sidewalks, wingwalks, catch basins, retaining walls under the Penn-Central Railroad Elevation, brick street restoration and pipe railing repair on College Street - on the east side from the north property line of Jones Street to the north property line of Wall Street and on the west side from the north property line of Jones Street to the south property line of the Penn Central Railroad. (CITY PAID).

Approved and adopted.
A true copy is incorporated herein.

Advertise Notice to Contractors, April 27 and May 4, 1979.

Receive bids on Wednesday, May 9, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

24. Received Curb and Sidewalk Improvement Resolution No. 5827-79, final plans, estimate and specifications, prepared and approved by the Street Engineering Department to improve by construction of sidewalk, curbs, wingwalks and catch basins as follows: (CITY PAID).

NEBRASKA NEIGHBORHOOD, PHASE IV:
St. Marys Avenue - west side of the street from High Street on the north to Burgess on the south.
Burgess Street - north side of street from St. Marys to Degroff Street.
Franklin Street - both sides from High Street to Burgess Street.
Degroff Street - east side from High Street to Burgess Street.
High Street - south side from St. Marys to Degroff Street.

WEST CENTRAL NEIGHBORHOOD, PHASE IV, SECTION A :
Jefferson Street - north side from Garden Street to Van Buren Street, south side from Union Street to Van Buren Street.
Washington Boulevard - both sides from Thieme Drive to VanBuren Street.
Garden Street - both sides from Jefferson Street to Washington Boulevard.
Nelson Street - both sides from Jefferson Street to alley north of Washington Blvd.
College Street - both sides from Jefferson Street to alley north of Washington Boulevard.
Rockhill Street - from Jefferson Street to alley north of Washington Blvd. (east side).
Union Street - both side from Jefferson Street to alley north of Washington Blvd.
Jackson Street - both sides from Jefferson Street to alley north of Washington Blvd.
Van Buren Street - both sides from Jefferson Street to alley north of Washnington Blvd.

WEST CENTRAL NEIGHBORHOOD, PHASE IV, SECTION B:

Garden Street - both sides from Jones Street to Jefferson Street.
Nelson Street - both sides from Jones to Jefferson
College Street - east side from Jones Street to Wilt Street.
Swinney Park Place West - east side from Jefferson Street to first alley south.
Swinney Park Place North - south side from Jefferson Street to Garden Street.
Jones Street - north side from Rockhill Street to Garden Street.
Union Street - west side from Leykauf Street to Lavina Street.
Lavina Street - south side from Rockhill Street to first alley west.
Jefferson Street - south side from Garden Street to Union Street.

NORTHWEST CENTRAL NEIGHBORHOOD, PHASE III-79:

Huffman Street - both sides from Sherman Blvd. to Wells Street.

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors April 27 and May 4, 1979.

Receive bids on Wednesday, May 9, 1979 at 9 a.m.

Ordered the Street Engineering Department to prepare bid documents.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg
Edward W. LaMar
Mary A. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Wednesday, April 25, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meeting held on
Monday, April 23, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permits issued.

5705 Lancashire Ct. -------- Elmer Miller Bldrs., Inc.
2801 Central ---------- Don Till
1811 Shamrock Rd. ---------- Delagrange Homes, Inc.

4. Received driveway applications: — Approved and permits issued.

1126 High ---------- Wilbur Magner
1311 Shoreview Dr. ---Crown Bldrs., Inc.
6230 Shell Dr. -------Snouffer & Goldsberry
5108 Winter ----------Jeffery D. Sanders

5. Received street cut applications: — Approved and permits issued.

1609 Beach	- NIPSCO
Along Division N/Oak and on Oak at Division	- "
3410 Glenhurst	- "
(alley) S/Wayne St. & E/ Harrison	- Gen. Tele.
Hayden W/Lillie	- C.U. Water Maint.
Hayden & Anthony	- "
1635 Hinton	- NIPSCO
2615 Mounded Ct.	- "
2810 Oakwood	- "
335 E. Pontiac	- "
1430 St. Joe River Dr.	- "
3700 and 3800 Sherman	- John Hartman
3712 E. Sherwood Terrace	- NIPSCO
109 E. Superior	- "
3502 Wells (2)	- Ground Service
1602 Kentucky	- NIPSCO
7116 Baer Rd.	- "
SE cor. Rudisill & Robinwood	- "
Edsall & Winch	- "
7116 Baer (prkstrp)	- "
2101 Northfield (prkstrp)	- "
412 - 416 S. Harrison	- "
3712 E. Sherwood Terrace	- "
3308 Scheele	- "
5306 S. Harrison (prkstrp)	- "

6. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Sewer Easement Resolution No. 167-79 for Ludwig Park Addition. (SEWER RES. NO. 878-79 Divs. I and II)

Approved and Board finds that the amount of damages to each property listed on said Roll are equal to the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served on May 4, 1979.

Hearing on Confirmation of Assessment Roll Thursday, May 17, 1979 at 3:30 p.m.

7. RECEIVE BIDS:

West Central Neighborhood Community Center located at southwest corner of Broadway and Wilt Street: Plans prepared by James Associates, Ft. Wayne, Inc.

HAWK CONST. CO., INC. ----- $159,400*

LENGACHER CONST. CO., INC.- $168,538**

WEIGAND CONST. CO., INC.--- $177,700

*Non-segregated Facilities Statement missing.
**96-A form missing.

Referred to James Associates, Fort Wayne, Inc. for tabulation and report.

Award contract on Wednesday, May 9, 1979 at 9:00 a.m.

8. Received Contract, Guaranty and Liability Bonds of INDIANA CONSTRUCTION CORP. in the amount of $76,690.00 prepared by Howard Needles Tammen & Bergendoff (Henry B. Steeg & Assoc., Division) signed by The Travelers Indemnity Company - Lunke-Rice Associates for Water Pollution Control Plant Flood Damage Repair.

Approved.

9. Resolution No. 67-126-9:

Approved.

WHEREAS, the Young Men's Christian Association, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the following public alley situated in Fort Wayne, Allen County, to-wit:

Running east and west between Catalpa Street on the West and Bright Street on the East, and on the North by the South line of Lots 448 through 455 of Third Commercial Addition to the City of Fort Wayne, and on the South by the North line of Lots 426 through 433 of Third Commercial Addition to the City of Fort Wayne according to the recorded plat thereof and hereinafter referred to as the alley.

10. Received Special Sewer Permit for EDWARD ROSE OF INDIANA prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of T & G Excavating, Inc. to construct OFF-SITE Storm Sewer to serve WEST WIND APARTMENTS.	Approved and Special Sewer Permit issued. Board Order No. 46-79.
11. Received Special Sewer Permit for ENGLE RIDGE CORP. prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of Land Excavating, Inc. to construct sanitary sewer to serve Engle Ridge Park (FLETCHER BUILDINGS).	Approved and Special Sewer Permit issued. Board Order No. 47-79.
12. Received petition for the installation of Water Main on Fairfax 2nd Addition from McKinnie Avenue to Sherwood Terrace (Bueter Road).	Approved. Ordered Water Engineering Department to investigate and report. Board Order No. 45-79.
13. Received petition for the installation of Sanitary Sewer on Fairfax 2nd Addition from McKinnie Avenue to Bueter Road, Senate and Congress and Sherwood Terrace.	Approved. Ordered Water Pollution Control Engineering Department to investigate and report.
14. Received invoice of Carrington & Associates, Inc. in the amount of $2,619.75 prepared by the Street Engineering Department for concrete pavement repair on Paulding Road, approximately 50' east of Old Decatur Road Intersection.	Approved. Ordered paid by Purchase Order No. 4-05246.
15. Received invoice of Winzeler Excavating Co., Inc. in the amount of $20,964.50 approved by the Water Pollution Control Engineering Department covering work under Sewer Resolution No. 298-77 - Rothman Road & Maplecrest Road Sanitary Sewer Interceptor Project.	Approved and ordered City Utilities to pay $5,510.00 from Water Pollution Control Utility Fund. Ordered $15,454.50 released from Escrow Account at Fort Wayne National Bank. ($5.000 is being retained in Escrow Account).
16. Received inspection report from the Water Pollution Control Engineering Department and completion affidavit of Winzeler Excavating, Inc. with Guaranty Bond in the amount of $228,959.00 signed by Ohio Farmers' Insurance Company for Sanitary Sewer Res. No. 298-77 - Rothman Road Sanitary Sewer Interceptor.	Approved and acceptance letter written.
17. Permission was granted to Moellering Construction Company, 3400 Engle Road, to barricade on Tuesday, April 24, 1979 thru Tuesday, May 15, 1979 (3 weeks) at all times the Covington Road at railroad tracks just west of Connett.	Approved and permit issued.

18. Received recommendation of Street Engineering Department to appropriate the following sums out of the $905,368.06 in LR & S funds, received as total State Allocation to date, as follows:

1. Sherman and High traffic signal ---$50,000
2. Progress - Ley Rd. at St. Rd. #1---$75,000
3. Production Road and St. Rd. #1 (intersec. improvement)----------$75,000
4. Hobson and Lake right hand turn movement plus traffic signalization---$125,000
5. Lake Ave. Environmental Impact Statement from Anthony to Landin Road ----------$50,000
6. Add to Account 310 (Bluffton - Old Trail Road)----------$130,000
7. Bluffton Road pavement widening between Engle to St. Mary's (Environmental Impact Statement Preparation)----------$30,000
8. Fernhill Ave. Extended----------$370,368.06 and an additional $429,631.94 out of LR & S monthly allocations until total of $800,000 is reached.

Approved.

Requested City Controller to set up accounts in these amounts and to credit LR & S monthly allocations to Fernhill account until total of $800,000 is appropriated.

19. Received invoice of Hipskind Asphalt Corporation in the amount of $7,140 approved by the Water Engineering Department covering Water Line lowering - Monarch Park Addition - Storm Relief Project Resolution No. 287-76.

Approved.

Ordered $5,768.00 paid from Water Utility Fund by City Utilities.
Ordered $1,372.00 paid from Storm Sewer Relief Fund.

Meeting adjourned at 11:05 a.m.

Henry P. Wiebenga

Edward W. LaMar

Mary A. Wiss

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, April 26, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 162-78 for the condemnation of permanent and temporary sewer easement for the purposes to construct, operate, control and maintain a sanitary sewer line across a portion of the southwest quarter of Section 8, Township 30 North, Range 12 East and the Southwest quarter of Section 9, Township 30 North, Range 12 East, bounded on the North by Taylor Street, bounded on the South by Covington Road, bounded on the East by Elvetta Street and bounded on the West by Country Club Road.

Continued to Thursday, May 10, 1979 at 3:30 p.m.

2. Continued from April 19, 1979
HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 163-78 for the condemnation of sanitary sewer easement, permanent and temporary, for the purpose to construct, operate, control and maintain a sanitary sewer line along and across a portion of Section 35, Township 30 North, Range 12 East, and Section 36, Township 30 North, Range 12 East, bounded on the north by a line 140 ± feet north of and parallel to the east-west centerline of the northwest quarter Section 36, Township 30 North, Range 12 East and its westerly extension, bounded on the east by a line 100 ± feet east of and parallel to the North-South centerline of said Section 36, Township 30 North, Range 12 East, bounded on the South by a line 800 ± feet South of and parallel to the East-West centerline of said Northwest quarter Section 36 and its westerly extension, bounded on the West by the St. Mary's River.

CONFIRMED.

Ordered sent to the Department of Finance subject to remuneration for Wilbur M. and M.E. Knipstein for crop damage.

Meeting adjourned at 5:25 p.m.

Henry P. Wehrenberg

Edwin H. LaMar

M. Gray Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Monday, April 30, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Wednesday, April 25, 1979 at 9 a.m. and
Thursday, April 26, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permit issued.

3415 and 3419 Shoaff Park River Dr. --- A. D. Delagrange

4. Received driveway applications: — Approved and permits issued.

800 Blk of W. Berry approx. 65'
east of Jackson St. ----------Hipskind Asphalt
5705 Lancashire Ct. ----------Travis Gloyd - E. Miller
1811 Shamrock Rd. ----------Delagrange Homes

5. Received street cut applications: — Approved and permits issued.

822 W. Berry --- J & G Disconnect
626 S. Calhoun --- C.U.
1414 Hayden --- "
2702 N. Highland --- NIPSCO
1126 W. Jefferson (alley) --- "
Along the north right-of-way of
Lake Ave. 500' west, to
300' east of Hobson Rd. ---------- Gen. Tel.
Lavina & Broadway --- C.U.
L. Huntington Rd. & Ideal (prkstrp)--- "
349 Melita (prkstrp) --- "
1238 Nuttman --- NIPSCO
1000 Blk. Sherman (prkstrp) --- C.U.
Smith beside 1025 Paulding Rd. --- NIPSCO
3135 South Wayne --- "
702, 710, 718, 720, 722,
730 and 734 W. Wayne ---------- J & G Disconnect
Putnam & Short --- NIPSCO
1904 Lathrop --- "
809 Putnam --- "
3324 N. Cedar Crest Cr. --- "
722 W. Wayne (alley) --- "
731 W. Wayne (alley) --- "
5114 Martinque (prkstrp) --- "
1323 E. Rudisill --- "

6. Received request from Loundsbury Wrecking Co. (Bill Loundsbury) P.O. Box 7102,for permission to extend barricade permit thru April 30, 1979 for demolition of building at SW corner of Superior and Harrison. — Approved.

7. Received a request from NIPSCO (Ed Daniels) 1501 Hale for permission to hood meters on east side of Court Street from Main to Berry on Monday, April 30, 1979 thru Wednesday, May 2, 1979 from 8:00 a.m. till 4:00 p.m.
PURPOSE: Replacing gas main. — Approved and permit issued.

8. Received a request from Community Coordinated Child Care of Allen County (Bobbi Owens-Mahan) 1140 S. Clinton, for permission to hood 25 - 30 parking meters in Freimann Parking Lot on Wednesday, May 2, 1979 from 9:00 a.m. till 2:00 p.m.
PURPOSE: Party in the Park for young children. — Approved and permit issued.

9. Received request from Veterans of Foreign Wars, Posts 857, 8147, 9500 and 10006 for permission to barricade downtown sidewalks on Friday and Saturday, May 18 and May 19, 1979 from 5:00 a.m. till 9:00 p.m.
PURPOSE: Selling poppies for rehabilitation of veterans. — Approved and permit issued.

10. Received request from South Side High School (Glen Stebing) 3601 S. Calhoun, for permission to barricade Calhoun Street from Darrow to Oakdale and Oakdale from Calhoun to Clinton Court on Friday, May 18, 1979 (weather permitting) from 8:00 a.m. till 9:00 a.m.
PURPOSE: Annual Ivy Day Ceremony for Senior Class. — Approved and permit issued.

11. Received a request from Phyllis Zahn, 1814 Vance Avenue, for permission to barricade the 1800 block of Vance Avenue from Anthony to Buena Vista Drive on Sunday, June 3, 1979 from 11:00 a.m. till 8:00 p.m.
PURPOSE: Block party. — Approved and permit issued.

12. Received a request from South Wayne Neighborhood Association (Wayne Ware, Jr.) 1238 Kinsmoor Avenue, for permission to barricade the 700 block of Cottage from South Wayne to Indiana on Sunday, June 10, 1979 from 1:00 p.m. till 5:00 p.m. — Approved and permit issued.

13. Received plat of Branning Hills, Section 2, submitted and approved by the City Plan Commission. — Approved.

14. Received plat of Longwood, Section I submitted and approved by City Plan Commission. — Approved.

15.	Received plat of Newberry, Section II submitted and approved by the City Plan Commission.	Approved.
16.	Received plat of Covington Creek Professional Village submitted and approved by City Plan Commission.	Approved.
17.	Received Water Contract No. 7902 between Westwood Development, Inc. and the Fort Wayne Water Utility to serve Westwood Valley Section I. Contract prepared and approved by Water Engineering Department.	Approved. Ordered sent to the Common Council Tuesday, May 22, 1979 at 8:00 p.m.
18.	Received a petition for the installation of water line and water service on Kruge Drive in Kruge Place Addition from Lower Huntington Road to terminus.	Approved. Ordered Water Engineering Department to investigate and report. Board Order No. 49-1979.
19.	Received quotation from the Purchasing Agent for the proposed purchase of two 6" MHR Hersey Turbine Water Meters for the Three Rivers Filtration Plant: HERSEY METER COMPANY -------- $3,000.00	Approved and bid of Hersey Meter Company in the amount of $3000 accepted under Purchase Order No. 1055.
20.	Received partial payment estimate No. 3 of Hagerman-Shambaugh (Joint Bidders) in the amount of $319,509.15 prepared and approved by McNamee, Porter and Seeley, Consulting Engineers, for Water Contract No. 77-W-2 Filtration Plant Expansion.	Approved and ordered City Utilities to pay invoice of Hagerman-Shambaugh in the amount of $319,509.15. Also ordered the amount of $35,501.02 paid to Hagerman-Shambaugh Escrow Account at Fort Wayne National Bank.
21.	Received invoice of Hipskind Asphalt Corp. in the amount of $16,593.90 prepared and approved by the Street Engineering Department covering work performed in Area #5 - 1979 Pothole Program.	Approved and ordered paid by Purchase Order No. 4-03721.
22.	Receiv ed invoice #49 of Hagerman-Shambaugh (Joint Bidders) in the amount of $40,506.62 approved by HNT & B (H. B. Steeg Division) for the period of 2/23/79 to 3/31/79 for Water Quality Control Project - Division I - Water Pollution Control Plant Additions.	Approved and ordered City Utilities to pay invoice in the amount of $40,506.62. Also, ordered the amount of $2,131.93 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank. Payments are to be made from the Water Pollution Control Utility Fund.
23.	Received Change Order No. 23 of Hagerman-Shambaugh - Joint Bidders, in the amount of $47,025.50 prepared and approved by HNT & B (Henry B. Steeg Division) for Water Quality Control Project, Division I, Water Pollution Control Plant Expansion.	Approved. Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8:00 p.m.

24. Received the following invoices of Clyde E. Williams and Assoc., Inc. for environmental work:

Approved and ordered paid from LR & S Accounts.

* 1. Rudisill Blvd. bet. Lafayette and Harrison ----------$ 491.37
* 2. Crescent Ave. bet. Anthony Blvd. and S. R. #37---------- $1338.41
* 3. Lake Ave. bet. Anthony and Landin Road ---------- $5003.18
* 4. Bluffton Rd. bet. Engle Rd. and St. Mary's ---------- $1331.06
** 5. Ardmore-Hillegas Corridor bet. Dalman Rd. & Dupont Rd. ------- $7,236.00

* In accordance with Nov. 6, 1978 Engineering Agreement.
** In accordancw with Oct. 23, 1978 Engineering Agreement.

25. RESOLUTION NO. 67-133-25
RE: FORT WAYNE WATER POLLUTION CONTROL UTILITY
GENERAL RULES AND REGULATIONS

Pursuant to Water Pollution Control General Rules and Regulations adopted by the Board of Public Works on December 12, 1972, revised on July 28, 1975 and on July 11, 1977 and numbering articles #1 through #11, the Board of Public Works now deems it advisable to add a New Article 12, Enforcement.

GENERAL RULES AND REGULATIONS
(ADDITIONS)

In accordance with the statutes of the State of Indiana and Paragraph 201, Chapter 24, Sewer and Sewerage System, of the Fort Wayne Municipal Code, the Board of Public Works has established the following General Rules and regulations in order to implement the safe, economical, efficient operation of the Water Pollution Control Utility. The following represents additons to those regulations adopted by the Board on December 12, 1972, revised on July 28, 1975, and added to on July 11, 1977. Items #1 through #11, as previously adopted and revised, remain in full force and effect.

#12 ENFORCEMENT

It shall be the policy of the City of Fort Wayne in accordance with Paragraph 205, Chapter 24, Sewers and Sewerage System, of the Fort Wayne Municipal Code to enforce the provisions of said ordinance in the following manner. Contractually specified enforcement procedures which conflict with any portion of this section will take precedence over the conflicting portion of this section.

1. Notice of Violation - All persons found to be in violation of paragraphs set forth in Paragraph 205, shall be served with a written "Notice to Violation" by the Water Pollution Control Plant Superintendent, or his designated representative, stating the nature of the violation or violations and providing a reasonable period of time within which acceptable corrective action must be taken.

2. Administrative Order - Violators failing to respond to the "Notice of Violation" shall be called before an Administrative Board for a hearing. An attempt will be made to resolve the matter in an equitable fashion and an Administrative Order will be drawn up specifying a schedule of compliance and/or a compliance date.

3. Court Action - Violations of Administrative Orders shall be referred immediately to the City Attorney, through the Board of Public Works, for enforcement in the Court of Jurisdiction. The referral shall include a request for the pursuit of the maximum penalty applicable under Paragraph 205, Chapter 24 of the Fort Wayne Municipal Code.

Approved and adopted this 30th day of April, 1979.
NOTICE OF PUBLIC HEARING: May 4 and 11, 1979.
PUBLIC HEARING: Thursday, May 24, 1979 at 3:30 p.m.
A true copy is incorporated herein.

Meeting adjourned at 11:05 a.m.

Henry P. Wilmeberg
Edward N. Paras
Mary A. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Wednesday, May 2, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications:

Approved and permits issued.

832 Nelson ---------- Elbrecht-Rousell
3000 E. Pontiac ------ Elbrecht-Rousell
506 W. Superior ------ Elbrecht-Rousell
825 W. Superior ------ Elbrecht-Rousell
1625 Tilden ---------- Timothy Schoch
1723 E. Wayne -------- Elbrecht-Rousell
2317 Westbrook ------- Elbrecht-Roussel

4. Received driveway applications:

Approved and permits issued.

3415 and 3419 Shoaff Pk. River Dr. ---- A. D. Delagrange
3000 South Wayne ---------- Schinner & Truemper
500 Speedway Drive ---------- Brooks Const.
902 W. Washington /on Jackson --------- Concrete Designs

5. Received street cut applications:

Approved and permits issued.

3509 N. Clinton --- C.U. Water Maint.
5200 Covington --- Diversified Util.
2324 Crescent --- NIPSCO
2907 Fairoak --- C.U. Water Maint.
2900 Goshen --- NIPSCO
3600 Harris Rd. --- T & G Excav.
1507 High (alley) --- NIPSCO
2803 Hoagland (prkstrp) --- C.U. Water Maint.
3034 Holton ---
600 Blk. Home (prkstrp) ---
McArthur Dr./ E. Baer Rd. ---
1311 Shoreview --- NIPSCO
2900 W. State --- John Hartman Const. Co.
502 S. Harrison --- J & G Disconnect
Stinson Dr/ 6926 Hessen Cassel --- NIPSCO
N. r/w Washington from Harmar to
Comparet in the east r/w
of Comparet from Washington
to the alley north of Washing,
in the east r/w of Harmar a distance of
46' south of alley then across Harmar to the
west r/w---------- GEN. TELE.
136 E. Williams --- J & G Disconnect

928 Clayburn ----------
1014 S. Calhoun ---
Van Buren 1600' N. of Main ---
2600 St. Louis (prkstrp) ---
219 Cox ---
4106 Winter ---
5200 Covington Road ---
918 E. Lewis ---
1900 Old Trail Rd. ---
1010 S. Calhoun ---

6. RECEIVE BIDS:

Water Main Improvement Resolution No. 1013-79 for the construction of water mains in and along East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition:

BERCOT, INC. ---------- $27,136.00

Referred to the Water Engineering Department for tabulation and report.

Award contract on Wednesday, May 9, 1979 at 9 a.m.

7. RECEIVE BIDS:

Sewer Improvement Resolution No. 878-79 Divisions I and II - in Ludwig Park Addition Area:

	DIV. #I	DIV. #II	TOTAL
BERCOT, INC.	-------	-------	$791,209.00
L. W. DAILEY, INC	$328,761.90	-------	
T - G EXCAVATING	$350,845.38	$363,123.05	
JOHN DEHNER, INC.	-------	-------	$824,757.24

Referred to the Water Pollution Control Engineering Department for tabulation and report.

AWARD contract on Wednesday, May 9, 1979 at 9:00 a.m.

Note: Two addendums, both acknowledged by all bidders who had taken out specifications.

8. Received Improvement Resolution No. 5834-79, final plans, estimate and specifications prepared by the Street Engineering Department for demolishing all of the buildings and structures located at 1101, 1105, 1109 and 1123 Wells Street and site clearance. (CITY PAID).

Approved and adopted plans and specifications. RESOLUTION NO. 5834-79 issued. NO RESOLUTION WRITTEN. Not H.I. Advertise Notice to Contractors, May 4 and 11, 1979.

Receive bids on Wednesday, May 16, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

9. Received Street Improvement Resolution No. 5835-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving Fernhill Avenue from Wells Street east to Northrop Avenue. The improvement will consist of the construction of a concrete pavement with curbs, street lighting, storm sewers and new traffic signals at the Northrop intersection. This improvement will be coordinated with the Conrail Force Account to improve the intersection of the Conrail line intersecting Northrop Avenue and Fernhill Extended. Also included in the improvement will be pavement repair and curb and island realignment at the intersection of Wells Street and Northrop Avenue. (CITY PAID).

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors May 4 and 11, 1979.

Receive bids on Wednesday, May 16, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

10. Received copy of "Acknowledgement Receipt" and "Registration Statement" from Federal Communications Commission authorizing Citizens Cable to operate a cable television system on Fort Wayne #CAC-13657 - Code No. IN-203.

A true copy is incorporated herein.

11. Received quotation from Purchasing Agent covering proposed purchase of office supplies for Office Services Department: BLANKET PURCHASE ORDERS from 7/1/79 to 7/1/80.

BUSINESS EQUIP. CO. ----------$3,548.75

SHREX OF FORT WAYNE ----------$1,865.70

DOUBLEDAY BROS. ----------$8,880.78

Bids were accepted under the following Blanket Purchase Orders:

B-1060 -------Business Equip. Co.
B-1061 Shrex of Ft. Wayne
B-1062 Doubleday Bros.

Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8:00 p.m.

12. Received Wage Agreement between the City of Fort Wayne and the International Brotherhood of Teamsters, Local Union #414 (Water Pollution Control Maintenance) for the years 1979 - 1980.

Approved and on file in the Board of Public Works.

13. Received petition for the installation of ornamental lighting using TC 100 R. ornamental fixtures in Crestwood Colony Addition.

Approved.

Ordered Street Lighting Engineering Department to investigate and report.

Board Order No. 52-1979 issued.

14. Received Agreement between Board of Public Works and the Fort Wayne Redevelopment Commission whereby Board will construct sidewalks, curbs, street lighting, storm drainage, widening and resurfacing Main Street from Calhoun to Maiden Lane and Commission will pay 100% of cost not to exceed $500,000.

Approved.

A true copy is incorporated herein.

15. Received a petition for the installation of sidewalk at 4230 South Wayne Avenue - Lot No. 49 Fairmont Place.

Approved.

Ordered the Street Engineering Department to investigate and prepare preliminary plans.

WAIVER received.

Board Order No. 53-1979.

16. Received a petition for the replacement of sidewalks and curbings in front of properties on Maple Place.

Approved.

Ordered the Street Engineering Department to investigage and prepare preliminary plans.
WAIVER received.
Board Order No. 54-1979.

17. Received petition for the replacement of sidewalk and curbing at 2802 Plaza Drive - Lot No. 175 Pontiac Place Addition.

Approved.

Ordered the Street Engineering Department to investigate and prepare preliminary plans.

WAIVER received.

Board Order No. 55-1979.

18. Received invoice of Rieth-Riley Const. Co., Inc. in the amount of $2,000 approved by Street Engineering Department covering retainage on Improvement Resolution No. 5809-1978 - Hanna - Creighton Impact Area.

Approved and ordered invoice paid by Community Development and Planning.

19. Received invoice #14 of W. A. Sheets & Sons, Inc. in the amount of $10,997.00 prepared by Cole - Matott, Architects, covering general construction on Restoration of "Old City Hall" Building.

Ordered payment of Escrow to W. A. Sheets & Sons, Inc. in the amount of $10,997.00 (FINAL).

Payment to be made by Indiana Bank and Trust Company.

Meeting adjourned at 11:00 a.m.

Henry P. Wiltenberg

Edward N. LaMar

Mark G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, May 7, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, April 30, 1979 at 9 a.m. and Wednesday, May 2, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permit issued

1207 N. Harrison ---------- Schenkel & Sons
1919 Maumee Ave. at Grant-- C.A. Lehman & Sons
5711 andra Lee Ave. ------- Snouffer-Goldsberry Homes

4. Received street cut applications: — Approved and permit issued.

210' along Bohnke Dr. E & W of Elkhorn Dr. ----------NIPSCO
1726 Dubois ---C.U. Water Maint.
2905 Fairoak (prkstrp) --- "
2703 Fairoak (prkstrp) --- "
2503 St. Louis (prkstrp) --- "
1825 Seddlemeyer ---Golden Rule
1817 Shambrock Rd. ---NIPSCO
5639 E. State --- "
502 E. Wayne ---C.U. Water Maint.
722 W. Wayne ---NIPSCO
423 E. Berry (alley) --- "
734 W. Wayne (alley) --- "
1400 E. Creighton --- "

5. Received private sidewalk applications: — Approved and permit issued.

3931 S. Calhoun ---------- Lebrato Bros.
4204 S. Clinton ---------- Quality Cement Floor Co.
3009 Euclid ---------- Quality Cement Floor Co.
2525 St. Mary's Ave. ------ A. M. Tilbury

6. Received invoice No. 78-08-310-01-0-08 of Howard Needles Tammen & Bergendoff (Steeg Division) in the amount of $23,227.33 for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - Advanced Wastewater Treatment - Phase C - Task #2, for the period of August 19, 1978 through April 13, 1979. Also invoicing 1978 overhead adjustment upon FHWA audit for Task #1 previously invoiced February 20, 1979. FED. GRANT NO. C-180774-02.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

7. Received invoice No. 71-01-310-01-0-89 of HNT & B (Steeg Division) in the amount of $570.29 approved by the General Superintendent of City Utilities for General Engineering - Water Quality Control Project Division I - Water Pollution Control Plant Additions - Federal Project No. C-180538-01.

Approved and ordered paid by City Utilities from the Water Pollution Control Utility Fund.

8. Received invoice #7 of Shambaugh & Son, Inc. in the amount of $10,050.70 prepared by Martindale, Tourney & Gibson, Architects, for mechanical construction on Humane Shelter EDA 06-51-26280.

Approved and ordered paid from LPW - II funds by the City Controller.

9. Received invoice #2 of Schmidt Electric, INc. in the amount of $9,664.20 prepared and approved by the Street Lighting Engineering Department covering work on Street Lighting Resolution No. 133-78 - West Central Phase III.

Approved and ordered paid by Community Development and Planning.

10. Received quotation from the Purchasing Agent for the proposed purchase of repair clamps for the Water Maintenance & Service Department:

ROCKWELL INTERNATIONAL ------- $3,329.74

Accepted under Purchase Order No.1069 in the amount of $3,329.74.

Ordered sent to the Common Council on May 22, 1979 at 8:00 p.m.

11. Received Special Sewer Permit for Interrad Development Corp. prepared and approved by the Water Pollution Control Engineer for the construction of storm and sanitary sewers known as WOODLANDS OF RIVERSIDE SEWERS. 25% of value of the work Maintenance Bond is to be furished at time of filing of Completion Affidavit.

Approved and permit issued.

B.O. 56-79.

12. Received a petition for the replacing of new curbs at 1016 Kinsmoor Avenue.

Approved and ordered the Street Engineering Department to investigate and report.

WAIVER received.

Board Order 58-79.

13. Received a request from NIPSCO, 1501 Hale Ave., for the permission to barricade Oak Street at Division on Wednesday and Thursday, May 9 and 10, 1979 from 8:00 a.m. til- 4:30 p.m. each day. PURPOSE: Installing new gas line.

Approved and permit issued.

14. Received curb and sidewalk Resolution No. 5829-1979, final plans, specifications and estimate prepared and approved by the Street Engineering Department for improving the following: (CITY PAID)

Part I:
The curb, sidewalk and drainage structures on both sides of Colerick Street and on both sides of Wildwood Avenue from Lafayette Street to Warsaw Street and also curb on the north side of Rudisill Boulevard from Monroe Street to Smith Street known as - "OXFORD NEIGHBORHOOD PHASE IV".

Part II:
To improve the curb , sidewalk and drainage on both sides of East Creighton Avenue from Warsaw Street to Hanna Street and Buchanan Street from Lafayette Street to Warsaw Street and East Masterson Street from Lafayette Street to Monroe Street known as "LaREZ NEIGHBORHOOD PHASE II".

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors May 11 and 18, 1979.

Receive bids on Wednesday, May 23, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents

15. Received invoice No. 70-10-210-01-1-08 of McNamee, Porter and Seeley in the amount of $9,317.78 approved by the General Superintendent of City Utilities for general engineering and resident engineering for water works improvements in accordance with Contract between the City and the Engineers dated December 7, 1970 and Amendment No. 1 dated March 30, 1977.

Approved and ordered City Utilities to pay invoice.

Payment is to be made from the Water Utility Fund.

16. Received Grant of Easement whereby Robert Cutter, Owner, and Zolton Herman (Contract Purchaser) grant, quit-claim and convey to the City of Fort Wayne a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct and remove a sewer line, along and across real estates located in Allen County, State of Indiana, - PERMANENT EASEMENT - Sewer Resolution No. 304-78 ARDMORE-COVINGTON AREA.

Approved and on file in the Board of Public Works.

Meeting adjourned at 11:00 a.m.

Henry P. Schmidt

Edward D. Pease

Mary A. Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Wednesday, May 9, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEHRENBERG, M. G SCOTT
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway application: — Approved and permits issued.

3801 Grayston ---------- Dave McHenry
4122 N. Wells ---------- Reith-Riley Const.

4. Received street cut applications: — Approved and permits issued.

7111 Baer Rd. ---------- NIPSCO
1127 E. Creighton ----------C. U. Water Maint.
DeForest from So. side of --- NIPSCO
Sandpoint --- "
Division from alley So. of
Summit to Jefferson and
on Oak at Division --- "
6124 Dowington (prkstrp) --- C. U. Water Maint.
2522 Edsall --- NIPSCO
832 Eliza --- "
2123 Gay (prkstrp) --- C.U. Water Maint.
1020 Goshen Rd. --- NIPSCO
5010 Hessen Cassel (prkstrp) --- C.U. Water Maint.
Kiwanis - Goodfellow N/Monument,
Shell and Neighbor --- Citizen Cable
1616 Lower Huntington Rd. --- NIPSCO
3410 MacArthur --- "
325 McKinnie (prkstrp) --- C.U. Water Maint.
Main St. from Calhoun W. to
Maiden Lane --- Gen. Tele.
5025 Marston Dr. (prkstrp) --- C.U. Water Maint.
1829 Reckeweg Rd. --- NIPSCO
1323 E. Rudisill (alley) --- "
1100 Runnion --- C.U. Water Maint.
1000 Blk. of Russell W. of
Sherman --- NIPSCO
St Joe Rd. Approx. 150' N/o
Shoaff Pk. River Dr. --- Citizen Cable
2612 St. Louis --- C.U. Water Maint.
2600 Blk. of St. Louis --- NIPSCO
531 St. Martin --- "
Short / 609 Putnam --- "
300 Blk. E. /Superior --- C.U. Water Maint.
2015 Taylor --- NIPSCO
Washington & Francis bet.
King & Wayne St. --- "
722, 730, 734 W. Wayne (alley. --- "

502 E. Wayne (alley)	---	NIPSCO
1111 Summit (alley)	---	"
534 Statium	---	"
1032 E. Washington (alley)	---	"
1310 Ferguson	---	"
1004 Liberty	---	"
714 Michael	---	"
2422 S. Calhoun (alley)	---	"
6030 Oakmont	---	"
1100 High	---	"
1128 Union	---	"
5741 Monarch	---	"

5. RECEIVE BIDS:

Curb and Sidewalk Resolution No. 5827-1979 - Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV, Section A; West Central Neighborhood, Phase IV, Section B: and North West Central Neighborhood, Phase III-79:

L. W. DAILEY, INC.	---	$188,031.30
HIPSKIND ASPHALT CORP.	---	228,086.15
HIPSKIND CONCRETE CORP.	---	234,053.00
RIETH-RILEY CONST. CO.	---	211,666.20
SPEARS-DEHNER	---	397,193.50

Referred to the Street Engineering Department for tabulation and report.

Award contract on Wednesday, May 16, 1979 at 9 a.m.

6. RECEIVE BIDS:

Curb and Sidewalk Resolution No. 5828-1979 - East Central Phase IV and Hanna-Creighton Phase III, Package #1:

L. W. DAILEY, INC.	---	$140,747.75
HIPSKIND ASPHALT CORP.	---	158,642.00
HIPSKIND CONCRETE CORP.	---	152,368.50
RIETH-RILEY CONST. CO.	---	148,405.75

Referred to the Street Engineering Department for tabulation and report.

Award contract on Wednesday, May 16, 1979 at 9 a.m.

7. RECEIVE BIDS:

Improvement Resolution No. 5832-79 - for the construction of sidewalks, wing-walks, catch basins, retaining walls under the Penn-Central Railroad Elevation, brick street restoration and pine railing repair on College Street - on the east side from the north property line of Jones to the north property line of Wall Street and on the west side from the north property line of Jones Street to the south property line of the Penn Central Railroad:

CARRINGTON & ASSOC. --- $58,984.00

L. W. DAILEY, INC. --- 63,218.00

HIPSKIND ASPHALT CORP. --- 53,375.00

Referred to the Street Engineering Department for tabulation and report.

Award contract on Wednesday, May 16, 1979 at 9:00 a.m.

8. AWARD CONTRACT:

Water Contract No. 1013-79 - East Sherwood Terrace from an existing 12" water main on Wayne Trace, eastward to the west property line of Lot #321 in Fairfax Second Addition.

Received tabulation and recommendation prepared by the Water Engineering Department.

REJECT ALL BIDS.

9. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 878-1979, Divisions I and II for Ludwig Park Area.

Award contracts as follows:

DIVISION I: -- L. W. Dailey, Inc. for $323,136.90

DIVISION II: -- T - G Excavating, Inc. for $363,123.05

subject to councilmanic approval. Ordered WPC Engr. Dept. to prepare contracts.

10. AWARD CONTRACT:

Received tabulation and recommendation prepared by James and Associates for the construction of West Central Neighborhood Community Center - Southwest corner Broadway and Wilt Street.

Continued to Monday, May 14, 1979 at 9:00 a.m.

11. Received Utility Agreements from Street Engineering Department for General Telephone Company of Indiana, Inc., Fort Wayne Water Utility, Fort Wayne Water Pollution Control Utility, Fort Wayne Electrical Engineering Department and Indiana and Michigan Electric Company concerning Utilities Use of Public Rights-of-Way in connections with Projects RRP-F104, RRP-F248 and RRP-F776 (Norfolk and Western Railroad Crossings - Brooklyn, Nuttman and Van Buren.

Approved.

A true copy is incorporated herein.

12. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade by bagging meters on west side of Barr Street from Main to Berry on Monday, May 7, 1979 thru Thursday, May 10, 1979 from 8:00 a.m. till 4:00 p.m..
PURPOSE: Replacing gas main.

Approved and permit issued.

13. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade East-west alley between Main and Berry from Barr to Clinton on Monday, May 7, 1979 thru Wednesday, May 16, 1979 from 8:00 a.m. thru 4:00 p.m.
PURPOSE: Installing new gas main.

Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Earl W. Lamm

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, May 10, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on Monday, May 7, 1979 at 9 a.m. and Wednesday, May 9, 1979 at 9 a.m.

1. Continued from April 26, 1979
HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 162-1978 for the condemnation of permanent and temporary sewer easement for the purposes to construct, operate, control and maintain a sanitary sewer line across a portion of the Southwest Quarter of Section 8, Township 30 North, Range 12 East and the Southwest Quarter of Section 9, Township 30 North, Range 12 East, bounded on the North by Taylor Street, bounded on the South by Covington Road, bounded on the East by Elyetta Street, bounded on the West by Country Club Road. (SEWER RESOLUTION NO. 304-78).

CONFIRMED.

Ordered sent to the Department of Finance.

2. Received recommendation from Chief Water Pollution Control Engineer, Phil Boller, that City's participation be increased from $25,907.03 to $53,452.77 thus reducing cost per square foot to property owners to $.09 sq. ft. in Sewer Resolution No. 304-78 COVINGTON - ARDMORE AREA.

Approved.

Ordered Water Pollution Control Engineer to prepare Resolution setting area connection fees.

3. Received recommendation from Chief Water Pollution Control Engineer, Phil Boller, that an assessment be assigned for two tracts owned by Fred A. and Marlene Humphreys for Lot #4 and 1/2 vac. street Ex. S.W. corner of Lot #4 (171,515 sq. ft.) and for the S.W. corner of Lot #4 (25,000 sq. ft.) in Sewer Resolution No. 304-78 COVINGTON - ARDMORE AREA.

Approved.

Ordered the Water Pollution Control Engineer to prepare Resolution setting tap-in charges for project.

Meeting adjourned at 4:50 p.m.

Henry P. Wehrenberg
Edward H. LaMar
Mary G Scott
BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller
Secretary and Clerk

Monday, May 14, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H.P. Wehrenberg, E. H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meeting held on Thursday, May 10, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

3510 Barr ---------- E. Holliday
314 Concord ---------- Kinder Const. Co.
3621 S. Calinton ------ E. Holliday
2010 Fairfield -------- E. Holliday
3519 Shoaff Pk. River Dr.---A.D. Delagrange
4314 South Wayne ------ E. Holliday
910 Spring ---------- E. Holliday

4. Received driveway applications: — Approved and permits issued.

6100 Bluffton Rd. ------- Brooks Const.
5620 Standish ---------- Robt. Houser

5. Received street cut applications: — Approved and permits issued.

Brackenridge at intersec. of Ewing	---	NIPSCO
1212 E. California Rd.	---	Bercot & Gibson
5610 Decatur Rd.	---	NIPSCO
Engle Rd. & Ardmore (prkstrp)	---	C.U. Water Maint.
2118 Fox (prkstrp)	---	"
6914 Hiltonia (prkstrp)	---	"
Kinnard - E & W /Brooklyn	---	Bercot & Gibson
910 Northwood (alley)	---	NIPSCO
Pontiac & John	---	C.U. Water Maint.
319 W. Pursley	---	"
3318 E. State (prkstrp)	---	"
W. State at intersec. of Cambridge	---	NIPSCO
Superior & Barr	---	C.U. Water Maint.
Superior & Lafayette	---	"
121 E. Taber (alley)	---	NIPSCO
4324 Spatz	---	"
621, 623 and 625 S. Harrison	---	"
2519 Pleasant	---	"
1014 E. Pontiac (alley)	---	"
2305 Weisser Pk.	---	"
3105 Central (alley)	---	"
127 E. Berry	---	"
5610 Decatur	---	"
(alley) S/Main and E/Fairfield	---	"
424 W. Superior	---	"
3306 River Forest	---	"
819 Eckart	---	"

6. Continued from May 9, 1979
AWARD CONTRACT:

In the matter of West Central Neighborhood Community Center for which bids were received on April 25, 1979, the Board now awards the contract. Project located on Southwest corner of Broadway and Wilt Street.

Award contract on Wednesday, May 16, 1979 at 9:00 a.m.

7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Street Improvement Resolution No. 5796-78 for improving Columbia Street - "The Landing".

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment May 18 and 25, 1979.

Hearing on Confirmation of Assessment Roll Thursday, May 31, 1979 at 3:30 p.m.

Notices to be mailed on May 21, 1979.

8. Received a request from Lutheran Hospital School of Nursing (Gene Towns) 3024 Fairfiled Avenue, for permission to barricade Home Avenue from Fairfield to South Wayne on Tuesday, May 15, 1979 from 8:00 p.m. till 10:00 p.m.
PURPOSE: Graduation Block Party.

Approved and permit issued.

9. Received a request from Fort Wayne Jaycees (Douglas Beerbower) 2200 Lake Avenue, for permission to hold a parade on Saturday, May 19, 1979 from 9:00 a.m. till 10:00 a.m. Starting location: Concordia High School Lot and terminating at Coliseum Lot. Route to be traveled: Concordia High School parking lot onto St. Joe River DRive; west to Parnell; north on Parnell to Coliseum parking lot.
PURPOSE: State Convention.

Approved and permit issued.

10. Received a request from Allen Conrad, 1004 Rivermet, for permission to barricade Dearborn from Lake to Rivermet (applicant states that he has gotten approval from residents on Dearborn) on Sunday, May 20, 1979 from 100 p.m. till 8:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

11. Received a request from Paul D. Sills, 7920 Winchester Road, for permission to use the following property - 21.96 acres in Richardville Reserve W. of St. Mary's River, T 30 N, R 12E, Corner of Bluffton and Winchester Road, except portion taken by Park Department for the period beginning on the 1st day of May, 1979 and ending on the 31st day of October, 1979. AGRICULTURAL PURPOSES ONLY on a 2/5 - 3/5 basis with 40% of Agriculture Production going to City and 60% going to Paul Sills.

Approved and permit issued.

12. Received a request from Frank Goff, 2515 Lynn Avenue, for permission to barricade 2500 block of Lynn Avenue from Rolston to Carew on Sunday, June 3, 1979, from 10:00 a.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

13. Received a request from Norfold & Western R. R. (Division Engineers Office) P.O. Box 1215 for permission to barricade McArthur Drive at R. R. Tracks between Bradbury and Ideal from Monday, May 14, 1979 till Monday, May 21, 1979 starting at 9:00 a.m. and closed at all times.
PURPOSE: Rebuild railroad track crossing.

Approved and permit issued.

14. Received a request from C.L. Schust Co., Inc. (George Barlag) 4030 Piper Drive, for permission to barricade the East curb lane of Calhoun from Oakdale to Darrow (in front of South Side High School) on Tuesday, May 15, 1979 (weather permitting) from 7:00 a.m. till 6:00 p.m.
PURPOSE: Parking crane and several large vehicles to place building and roofing materials on roof of South Side High School.

Approved and permit issued.

15. Received a request from Sandy DeWald, 4616 Arlington Avenue, for permission to barricade Arlington Avenue from Sherwood Terrace to Maple Grove on Saturday, June 16, 1979 from 5:00 p.m. till 10:00 p.m.
PURPOSE: Neighborhood Block Party.

Approved and permit issued.

16. Received Wage Agreement between the City of Fort Wayne and the Street Department I.U.O.E. #19 for the years 1979 - 1980.

Approved.

On file in the Board of Public Works.

17. Received a petition for the installation of water line on Kilbourn Drive from L. Huntington Road to termination. (Savoie's Subdivision).

Approved.

Ordered the Water Engineering Department to prepare preliminary plans and estimate.

Board Order No. 59-79 issued.

18. Received quotations from the Purchasing Agent for the proposed purchase of Ductile Iron Pipe for the Water Maintenance & Service Department:

V.R. MYERS PUMP ----------	$6,705.00
UNITED STATES PIPE AND FOUNDRY CO. ---	6,739.20
AMERICAN CAST IRON PIPE CO. ----------	9,226.80
SIDENER SUPPLY OF INDIANA ----------	6,570.00
CLOW CORPORATION ----------	6,516.00
TREATY COMPANY ----------	$6,597.00

Approved bid of Clow Corporation in the amount of $6,516.00 under Purchase Order No. 1079.

Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8:00 p.m.

19. Received invoice of Brooks Construction Company in the amount of $15,612.65 approved by the Street Engineering Department covering work performed on the 1979 Pothole Program. Area #2 (Northwest).

Approved. Ordered paid from Account 402-128-129-4265. Purchase Order No. 4-03718.

20. Received invoice of Turnbell-Green and Associates, Inc. in the amount of $2,327.00 approved by the Street Engineering Department covering engineer fees for estimating to improve three railroad crossings at Van Buren, Brooklyn and Nuttman.

Approved and ordered paid from Account 325-001.

21. Received invoice of T & F Construction Corp. in the amount of $2,116.10 approved by the Street Lighting Engineering Department covering Lakewood Park Addition Street Lighting - Contract 131-78.

Approved and ordered paid from 402-134-448-4200 1978 Revenue Sharing Account.

22. Received Partial Payment Estimate No. 7 of Havel Bros., Inc. in the amount of $2,598.00 approved by Martindale, Tourney, Gibson, Inc. covering electrical work for Remodeling to the Fort Wayne Humane Shelter. (FINAL).

Approved. Ordered the City Controller to pay invoice from LPW-II.

23. Received invoice of Moellering Construction Company in the amount of $15,748.30 approved by the Street Engineering Department covering work performed on the 1979 Pothole Program. Area #4 (Central and South).

Approved. Ordered paid from Account 402-128-129-4265. Purchase Order No. 4-03720.

24. Received Notice of Recognition of Encroachment upon City of Fort Wayne - Contract No. M-6002 (31) - Roberta Ladd % NEO-LIFE, 3914 Coldwater Road, Fort Wayne, Indiana.

Approved. Ordered sent to Street Engineering Department for handling.

25. Received Notice of Recognition of Encroachment upon City of Fort Wayne - Contract No. M-6002 (31) Linda Newman % Wigwam Wigs, 3912 Coldwater Road, Fort Wayne, Indiana.

Approved. Ordered sent to Street Engineering Department for handling.

26. Received Notice of Recognition of Encroachment upon the City of Fort Wayne - Contract No. M-6002 (31) - McMahon Firestone, 3930 Coldwater Road, Fort Wayne, Indiana.

Approved. Ordered sent to the Street Engineering Department for handling.

27. Received a request from Allen County 4-H Clubs, Inc., 11327 Bethel Road, for permission to barricade following on Thursday, July 26, 1979 from 6:00 p.m. till 8:00 p.m.: PURPOSE: 4-H Fair Parade.

(1) Parnell at Coliseum Parking Lot;
(2) River Drive at Parnell;
(3) Pleasant at both sides of State;
(4) Pleasant at Forest;
(5) Forest at Parnell;
(6) Eade at State;
(7) Eade at Nettie;
(8) Pleasant at Nettie;

Approved and permit issued.

28. Received a request from Allen County 4-H Clubs, Inc. (Richard Fritz) 11327 Bethel Road, for permission to hold a parade on Thursday, July 26, 1979 from 6:30 p.m. to 8:00 p.m. Approximate Number of persons: 500; Animals - 100; and vehicles - 200. Route to be traveled: Parnell Avenue from State to Coliseum Parking Lot.
PURPOSE:- Opening of 4-H Fair.

Approved and permit issued.

29. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade East-West alley between Main and Berry from Barr to Lafayette on Monday, May 14, 1979 thru Friday, May 25, 1979 from 4:00 p.m. thru 4:00 p.m.
PURPOSE: Emergency repair on leaking gas main.

Approved and permit issued.

30. Received a request from Rita Quinn, 4330 Pembroke Lane, for permission to barricade Pembroke Lane from Westover to Indiana on Friday, June 8, 1979 from 5:30 p.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

31. EMERGENCY RESOLUTION NO. 67-150-31

WHEREAS, an Emergency sewer repair has become necessary at the rear of 1521 Crescent Avenue; and

WHEREAS, due to unstable soil conditions the Fort Wayne Water Utility is unable to perform the needed repair;

WHEREAS, the City Utilities General Superintendent Edmund Stanczak, Jr. requested bids from L. W. Dailey, Inc.; T - G Excavating, Inc. and John Dehner, Inc. and only L. W. Dailey, Inc. is available to do said work:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to repair this sewer and authorizes the City Utilities General Superintendent to approve a Purchase Order for said repair.

Approved this 14th day of May, 1979.
A true copy is incorporated herein.

Meeting adjourned at 11:15 a.m.

Henry P. Schumberg

Edward W. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

Wednesday, May 16, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on
Thursday, May 10, 1979 at 3:30 p.m. and
Monday, May 14, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permit issued.

1618 and 1612 Benham----------Walt Lengacher
Lots 175, 177, 178, 179, 181
and 184 Landover ----------Walt Lengacher
6313 Shell Dr. ----------Art Bechtold
1921 Thompson ----------Robt. Houser
724 Vance ----------Richard Ash

4. Received street cut applications: — Approved and permits issued.

2508 Cortland (alley)	---	NIPSCO
200 blk. E. Douglas	---	Cent. Elec. Co.
Harris Rd. 400' S/Sundown Lane	---	NIPSCO
4615 Monroe (prkstrp)	---	C.U. Water Maint
4835 Monroe (prkstrp)	---	"
Nuttman, Laredo, Olin, Illamna and Loraine	---	NIPSCO
2219 Oliver (prkstrp)	---	C.U. Water Maint.
2928 Pinewood (prkstrp)	---	"
3311 E. Pontiac	---	"
424 W. Superior	---	"
2914 Taylor (prkstrp)	---	"
4605 Euclid (prkstrp)	---	NIPSCO
Harris Rd. 400' of Sundown Lane	---	"
2500 Nuttman (prkstrp)	---	"
W. Main at Harrison	---	"

5. RECEIVE BIDS: — Referred to the Street Engineering Department for tabulation and report.

Resolution No . 5834-79 for demolition of all the buildings and structures located at 1101, 1105, 1109 and 1123 Wells Street and site clearance: — Award contract on Monday, May 21, 1979 at 9 a.m.

L. I. GRIFFIN & SONS --------- $17,258.00 $19,000 Alt.

MARTIN, INC. ---------- $12,315.00 $26,000 Alt.

SUMMIT CITY WRECKING, INC. --- $ 9,289.80 incl. Alt. $8.50 --- $8,473.80 plus Alt.

6. RECEIVE BIDS:

Resolution No. 5835-79 for improving Fernhill Avenue from Wells Street east to Northrop Avenue:

RIETH-RILEY CONST. (Elkhart)---$1,015,867.24

SPEARS - DEHNER, INC. ---------$ 998,674.51

Referred to the Street Engineering Department for tabulation and report.

Award contract on MOnday, May 21, 1979 at 9:00 a.m.

7. Received tabulation and recommendation prepared by the Street Engineering Department for Curb and Sidewalk Improvement Resolution No. 5827-1979 for Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV, Section A; West Central Neighborhood, Phase IV, Section B; and Northwest Central Neighborhood, Phase III-79.

Award contract to L. W. Dailey, Inc at and for their bid of $188,031.30 subject to councilmanic approval. Ordered the Street Engineer to prepa contract and necessary documents and subject to confirmation of completion date.

8. Received tabulation and recommendation prepared by the Street Engineering Department for Curb and Sidewalk Improvement Resolution No. 5828-1979 for East Central, Phase IV and Hanna - Creighton Phase III, Pkg. #1.

Award contract to L. W. Dailey, Inc. at and for their bid of $140,747.75 subject to councilmanic approval. Ordered the Street Engineer to prepare contract and necessary documents and subject to confirmation of completion date.

9. Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5832-1979 for construction of sidewalks, wingwalks, catch basins, retaining walls under the Penn-Central Railroad Elevation, brick street restoration, and pipe railing repair on College Street - on the east side from the north property line of Jones Street to the north property line of Wall Street and on the west side from the north property line of Jones Street to the south property line of the Penn Central Railroad.

Award contract to Hipskind Asphalt Corp, at and for their bid of $53,375 subject to councilmanic approval. Ordered the Street Engineer to prepare contract and necessary documents

10. Continued from May 14, 1979 - AWARD CONTRACT:

In the matter of West Central Neighborhood Community Center for which bids were received on April 25, 1979, the Board now awards the contract. Project located on Southwest corner of Broadway and Wilt Street.

Continue to Monday, May 21, 1979 at 9:00 a.m.

11. Received notification from City Utilities' Accounting Department that Fort Wayne Water Utility repaid Fort Wayne Water Pollution Control Utility $550,000 plus interest on December 27, 1978 (Resolution No. 66-278-20).

Approved repayment.

12. Received invoice No. 9 of Spears-Dehner, Inc. in the amount of $61,675.01 approved by the Street Engineering Department covered by Resolution No. 5797-78 - Jefferson, Maumee, Washington Improvement.

Approved and ordered $61,675.01 paid from LRS Account.

Also ordered $6,852.78 paid to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank and Trust Company.

13. Received Change Order No. 1 of T & G Excavating, Inc. in the amount of $10,194.20 prepared by the Water Pollution Control Engineering Department covering work on Sewer Resolution NO. 876-78 - McKinley - Connett - Edwards Sanitary Sewer.

Approved.

Ordered sent to the Common Council on Tuesday, May 22, 1979 at 8:00 p.m.

14. Received quotation from the Purchasing Agent for the proposed purchase of Basement Resetters for the Water Maintenance & Service Department:

FORD METER BOX COMPANY -------- $3,234.00

Accepted under Purchase Order No. 001091.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

15. Received quotation from the Purchasing Agent for the proposed purchase of Recarbonation Burner for the Three Rivers Filtration Plant:

TOMCO EQUIPMENT COMPANY ------- $4,923.00

Accepted under Purchase Order No. 001087.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

16. Received quotations from the Purchasing Agent for the proposed purchase of two (2) Four Door Sedans for the Technical Services Department:

ALLEN COUNTY MOTORS ---------- $12,338.80

HEFNER CHEVROLET ---------- $12,307.00

Accepted under Purchase Order No. 001084 bid of Allen County Motors in the amount $12,307.00.
Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

Void this ENTRY.

17. Received quotations from the Purchasing Agent for the proposed purchse of three (3) overhead doors for 445 East Wallace Street - Water Pollution Control Maintenance Department:

OVERHEAD DOOR COMPANY ---------- $1,535.00
$1,640.00
$1,253.00
$4,428.00 total

WAYNEDALE LUMBER AND SUPPLY COMPANY: $2,001.35
1,249.30
1,830.76
$5,081.41 (total)

Accepted under Purchase Order No. 001090 bid of Overhead Door Company in the total amount of $4,428.00.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

18. Received Invoice #1 of Rieth-Riley Const. Co., Inc. in the amount of $6,912.59 approved by the Street Engineering Department covering work on Resolution No. 5814-78 LaRez, Phase I.

Approved and ordered paid by Community Development and Planning.

19.	Received copies of acceptance by the ISHC of Project No. M--F864(1) Contract R-11167 Tillman Road from Anthony Boulevard to Hessen Cassel Road.	Ordered Street Engineering to prepare Assessment Roll for Sidewalk Improvement Resolution No. 5798-78. Project covered by Board Order No. 30-78.
20.	Received invoice of Hipskind Asphalt Corp. in the amount of $2,198.80 approved by the Street Engineering Department covering work on pavement repair on Southwest corner of Fourth and Barthold.	Approved and ordered paid from MVH Fund. Purchase Order No. 03695.
21.	Received invoice of Wayne Asphalt & Const. Co., Inc. in the amount of $13,940.50 approved by the Street Enginering Department covering work on 1979 Pothole Program - Area #2.	Approved and oredered paid from Purchase Order No. 03719. MVH Funds.
22.	Received Street Improvement Resolution No. 5830-79, final plans, specifications and estimate for improving Production Road on the north and south sides from the west pavement edge of State Road #3 to a point 425 feet west thereof, and to lengthen westbound left turn lane on State Road #3. Resolution No. 5830-79 prepared by the Street Engineering Department. (CITY PAID).	Approved. A true copy is incorporated herein. Advertise, Notice to Contractors May 18 and May 25, 1979. Receive bids on Wednesday, May 30, 1979 at 9:00 a.m. Ordered the Street Engineering Department to prepare bid documents.
23.	Received Improvement Resolution No. 5837-79, final plans, specifications and estimate for improving by repairing and painting the Mechanic Street footbridge between Mechanic Street and Swinney Park over the St. Marys River (located approximately one-half block south of Main Street). (CITY PAID).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Contractors May 18 and May 25, 1979. Receive bids on Wednesday, May 30, 1979 at 9:00 a.m. Ordered the Street Engineering Department to prepare bid documents.
24.	Received Special Sewer Permit for Sears, Roebuck & Co., 7447 Skokie Blvd., Skokie, Illinois, prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of Bercot-Gibson Const., Co., Inc. for the construction of sanitary sewer known as Sears - Kinnaird Avenue Lateral.	Approved and Special Sewer Permit issued. Board Order No. 60-1979 issued.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Ethel W. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, May 17, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LaMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H.P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 167-1979 for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3). (MODIFIED)
(SEWER RESOLUTION NO. 878-79)

Continued to Thursday,
May 24, 1979 at 3:30 p.m.

Meeting adjourned at

Henry P Wehrenberg

Ethel H. LaMar

May G Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, May 21, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received minutes of meetings held Wednesday, May 16, 1979 at 9 a.m. and Thursday, May 17, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway application: — Approved and permits issued.

3515 & 3519 Shoaff Park River Dr. ---A. D. Delagrange

4. Received private sidewalk applications: — Approved and permits issued.

2710 Broadway -------Rieth-Riley Const. Co.
6224 Goodfellow -----Art Bechtold
6304 Goodfellow -----Art Bechtold
5712 Inland Tr. -----NuHouse, Inc.
5718 Inland Tr. -----NuHouse, Inc.
6230 Shell ----------Art Bechtold

5. Received street cut applications: — Approved and permits issued.

5021 S. Anthony	---	NIPSCO
4111, 4112, 4118 and 4122 Aspen Ct.	---	"
4011, 4017, 4023, 4029 and 4105 Aspen Ct.	---	"
7316 Baer Rd.	---	"
411 S. Calhoun (alley)	---	"
1833 Choctimar Trail	---	"
5102 Christofer Lane	---	"
1505 E. Columbia (alley)	---	"
1817 Fairfield	---	C.U. Water Maint.
8700 Indianapolis Rd.	---	Gen. Tele
923 Kenwood	---	NIPSCO
2929 Koons (prkstrp)	---	C.U. Water Maint.
1223, 1305, 1311 and across from 1310 Louisedale Dr.	---	NIPSCO
2500 McKinley	---	Earl Baker
4920 Marston	---	NIPSCO
4910 Plaza (prkstrp)	---	C.U. Water Maint.
3443 River Forest	---	NIPSCO
1406 Springbrook Rd.	---	"
1140 Summit	---	C.U. Water Maint.
1423 Wabash (alley)	---	R. & A Plumb.
715 Wallace (prkstrp)	---	C.U. Water Maint.
1311 Wallace (prkstrp)	---	"
2109 E. Washington	---	NIPSCO
Webster & Belmont (prkstrp)	---	C.U. Water Maint.
6124 Wilmarbee Dr. (driveway)	---	"
2322 Cass (prkstrp)	---	NIPSCO
2007 Forest Pk. (alley)	---	"
Intersec. Nuttman & Olin	---	"
923 Kenwood	---	"
1020 E. Jefferson	---	"
3525 Abbott	---	"
N/E cor. Runyan & W. Third.	---	"

6. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Street Engineering Department for Resolution No. 5834-79 for demolition of all the buildings and structures located at 1101, 1105, 1109 and 1123 Wells Street and site clearance.

Award contract to Summit City Wrecking at and for their bid in the amount of $9,289.80 subject to councilmanic approval.

Order Street Engineering Department to prepare contract.

7. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Street Engineering Department for Resolution No. 5835-79 for improving Fernhill Avenue from Wells Street east to Northrop Avenue.

Award contract to Spears-Dehner, Inc. at and for their bid in the amount of $998,674.51 subject to Indiana State Highway Commission approval.

Ordered Street Engineering Department to prepare contract.

8. Continued from May 16, 1979 - AWARD CONTRACT

In the matter of West Central Neighborhood Community Center for which bids were received on April 25, 1979, Board now awards the contract. Project located on Southwest corner of Broadway and Wilt Street.

REJECT ALL BIDS.

9. Received a petition for sidewalk commencing on the east side of Osage Street from alley north of Boone Street to the south property line of Burgess Street and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north.

Approved.

Ordered the Street Engineering Department to investigate and report.

Board Order No. 61-1979.

10. Received a petition for the construction of sidewalk on the west side of Hanna Street from the south curb line of Congress Avenue to the north curb line of Sherwood Terrace except where sidewalk is now in place.

Approved.

Ordered the Street Engineering Department to investigate and report.

Board Order No. 62-1979.

11. Received quotations from the Purchasing Agent for the proposed repair Hydro-Electric Generator for the Three Rivers Filtration Plant:

GENERAL ELECTRIC APP. SERV. SHOP ----- $4,399.45

REMS, INC. ---------- $6,250.00

Accepted bid of General Electric Company - Apparatus Service Division in the amount of $4,399.45 under Purchase Order No. 001102.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

12. Received Change Order No. 1 of Bercot, Inc. in the amount of $22,622.69 approved by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 302-1978 - Kruge Place Addition Sanitary Sewer.

Approved.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

13. Received Agreement whereby City of Fort Wayne, Indiana, leases to American National Red Cross for term ending on December 15, 2059 for total rental of $80.00 for the entire term - Part of the Northeast Quarter of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, (approximate 50 foot Strip of land used in extending the parking lot).

Approved and placed on file in the Board of Public Works.

14. Received Agreement for Sanitary Sewer Extension between Gerald Ford, contract purchaser, Majorie A. Hollis, sole surviving record title holder and the City of Fort Wayne, Indiana, for the construction of a sanitary sewer POINSETTE AVENUE - GOSHEN ROAD AREA.	Approved. A true copy is incorporated herein. Ordered sent to the Water Pollution Control Engineering Department for recording.
15. Received Grant of Easement whereby C. Gordon Diver grants and quit-claims to the City of Fort Wayne, Indiana, a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct and remove a cable line along and across real property in area of Clinton and Fourth Streets. (THIRD STREET PUMPING STATION).	Approved. A true copy is incorporated herein. Recorded by Water Pollution Control Engr. Dept. No. 79-12177.
16. Received inspection report from the Water Pollution Control Engineering Department approving issuance of supplemental acceptance letter to A. D. Delagrange Construction Company, Inc. for STORM SEWER #4 (extended) for Shoaff Park River Estates.	Approved. Ordered supplemental acceptance letter written.
17. Received invoice of Bercot, Inc. in the amount of $33,600.00 approved by the Water Pollution Control Engineering Department covering work performed on Emergency Resolution No. 65-284-9 - Deister Repair -(FINAL PAYMENT).	Approved and ordered City Utilities to pay invoice under Purchase Order #9992. Ordered General Superintendent of City Utilities to seek reimbursement from the Federal Government.
18. Received invoice 78-08-310-01-0-09 of Howard Needles Tammen & Bergendoff (Steeg Division) in the amount of $27,093.66 for professional engineering Services performed in connection with Agreement for Engineering Services dated March 20, 1978 -ADVANCED WASTEWATER TREATMENT PHASE "C" - Task #10. Services rendered for the period of October 1, 1978 through April 27, 1979.	Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.
19. Received petition for storm Sewers in Lincoln Park Area.	Approved. Ordered the Water Pollution Control Engineering Department to prepare preliminary plans. Board Order 64-1979 issued.
20. Received Change Order No. 1 of Shambaugh & Son in the amount of $44,968.00 approved by the General Superintendent of City Utilities covering Contract No. 77-W-3 - St. Joseph Dam and Pump Station Additions.	Approved. Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.
21. Received Change Order No. 1 of Hagerman Construction Corporation - Shambaugh & Son, Inc. (joint bidders) in the amount of $15,490.00 DEDUCTION covering Contract No. 77-W-2 - Filtration Plant Improvments.	Approved. Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.
22. Received a request from Loundsbury Wrecking, P.O. Box 7102, for permission to barricade at all times the sidewalk only at NW corner of Burgess and St. Mary's on both streets surrounding 1102 Burgess on Thursday, May 17, 1979 thru Thursday, May 24, 1979. PURPOSE: Demolish building at 1102 Burgess.	Approved and permit issued.

23. Received a request from Shambaugh & Son, (Don Jehl) 137 Chambeau Drive, for permission to barricade 4 feet of a 14 foot alley blocked in the 1st alley north of Superior (east-west alley) between Calhoun and Clinton from May 18, 1979 thru August, 1980 at all times.
PURPOSE: Parking a construction trailer for work at Corrections Center.

Approved and permit issued.

24. Received a request from Moellering Const. Co., 3400 Engle Road, for permission to barricade Jefferson Blvd. at Swinney Park (both railroad tracks) - will be closing only two lanes at a time at all times on Monday, May 21, 1979 thru Friday, June 8, 1979 for (three weeks).
PURPOSE: Rebuild railroad crossings.

Approved and permit issued.

25. Received a request from NIPSCO (Vern Bradley) 1501 Hale Ave., for permission to barricade alley south of Berry Street from Barr to Clinton on Wednesday, May 23, 1979 thru Friday, May 31, 1979 from 9:00 a.m. thru 4:00 p.m. on May 31, 1979.
PURPOSE: Installation of gas main.

Approved and permit issued.

Meeting adjourned at 10:35 a.m.

Henry P. Uhlenberg

Ethel W. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Marcella Miller

Secretary and Clerk

Wednesday, May 23, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permtis issued.

1903 California ---------- Edw. Kessel
1909 Emerson ---------- Ned Keener Const.
227 W. Fleming ---------- Ned Keener Const.
1856 Florida Dr. ---------- Ned Keener Const.
2322 Forest Valley Dr. ------ Edw. Kessel
230 W. Maple Grove ---------- Ned Keener Const.
315 W. Oakdale ---------- Ned Keener Const.
1318 W. Washington ---------- Ned Keener Const.
4230 S. Wayne Ave. ---------- Ned Keener Const.

4. Received driveway application: — Approved and permit issued.

6313 Shell Drive ---------- Snouffer & Goldsberry

5. RECEIVE BIDS: — Referred to the Street Engineering Department for tabulation and report.

Will award contract on Wednesday, May 30, 1979 at 9:00 a.m.

Curb and Sidewalk Improvement Resolution No. 5829-79:
PART I - The curb, sidewalk and drainage structures on both sides of Colerick and on both sides of Wildwood from Lafayette to Warsaw and also on north side of Rudisill Boulevard from Monroe to Smith known as "OXFORD NEIGHBORHOOD, PHASE IV".
PART II- To improve the curb, sidewalk and drainage on both sides of East Creighton from Warsaw to Hanna and Buchanan from Lafayette to Warsaw and East Masterson from Lafayette to Monroe known as "LaREZ NEIGHBORHOOD, PHASE II".

CARRINGTON & ASSOC. ----------$125,238.25

L. W. DAILEY, INC. ---------- 184,067.35

HIPSKIND ASPHALT CORP. -------- 138,457.10

HIPSKIND CONCRETE CORP. ------- 115,281.70

RIETH-RILEY CONST. ---------- 119,768.05

6. Received plat of Broadview Terrace Extended, Section I submitted and approved by the City Plan Commission.	Approved.
7. Pursuant to report from the City Utilities Auditing Department listing unpaid Revenue - Miscellaneous Accounts write-offs as per list submitted: Revenue Accounts: $3,722.00 Misc. Accounts: $5,927.01	Approved.
8. Received Improvement Resolution No. 5836-1979, final plans, specifications and estimate for improving by repairing cracks and joints and sealing entire surface of the City-County Building Parking Plaza. Resolution prepared by the Street Engineering Department. (CITY PAID).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Contractors on May 25, 1979 and June 1, 1979. Receive bids on Wednesday, June 6, 1979 at 9:00 a.m. Ordered the Street Engineering Department to prepare bid documents.
9. Received Sidewalk Improvement Resolution No. 5838-1979, final plans, specifications, estimate and property ownership list prepared and approved by the Street Engineering Department for constructing sidewalk commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess Street and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north.	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners, May 25, 1979 and June 1, 1979. Hearing on Confirmation, Thursday, June 14, 1979 at 3:30 p.m. Mail notices on June 1, 1979.
10. Received Special Sewer Permit for Cardinal Industries prepared and approved by the Water Pollution Control Engineering Department for construction of sanitary sewer known as Knights Inn. 25% Maintenance Bond is to be furnished at time contractor files his completion affidavit.	Approved and permit issued. Board Order No. 67-1979.
11. Received invoice of Turnbell - Green and Associates, Inc. in the amount of $2,500.00 approved by the Street Engineering Department covering professional engineering services for improvement to railroad-street grade crossings per agreement signed June 14, 1973. Engineering services for Phase IV - Construction Phase, authorized per Board of Works letter dated February 7, 1977.	Approved and ordered payment made from A.R. & S. Account #303.
12. Received Water Contract No. 7904 prepared and approved by the Water Engineering Department between Morris Liechty and the Fort Wayne Utility on Sherman Boulevard and on Villa Park Court. For: Franke Park Villas.	Approved. Ordered sent to the Water Engineering Department for handling.
13. Received inspection report from the Water Pollution Control Engineer and Completion Affidavit of Fox Contractors with Guaranty Bond in the amount of $15,000 signed by Fidelity and Deposit Company of Maryland for Shive Nursing Home Storm Sewer - Lawrence Drain Relocation.	Approved. Ordered acceptance letter written.

14. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of North Eastern Construction Company, Inc. with Guaranty Bond in the amount of $10,650 signed by American States Insurance Company for Sanitary Sewer known as Concord Hill, Section II.

Approved.

Ordered acceptance letter written.

15. Received recommendation from Martindale Tourney Gibson, Inc. for release of escrow to Weigand Construction Co., Inc. in the amount of $1,500.00 covering - Project: Addition and Remodeling for Humane Shelter, General Construction. (FINAL).

Approved.

Ordered Indiana Bank & Trust Company to release amount to Weigand Construction Company from Escrow Account.

16. Received 1980 Capital Improvement Program from engineering departments.

Approved. H.I.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

17. Received acknowledgement of building encroachments of Bursley building at southeast corner of Superior and Clinton Streets:

(1) entire north wall of five story building and a one story enclosed loading dock 160' long encroaching 1' onto the south right-of-way of Superior Street along north side of Lots 26, 27, 28 and 29 of original plat of City of Fort Wayne.

(2) Wall constructed as part of building varying in height from 1' to 3' encroaches 6" onto the east right-of-way of Clinton along west side of Lot 26 of original plat.

(3) Entrance way and steps 22.8' long constructed as integral part of building encroaches 15" onto East right-of-way of Clinton along west side of Lot 26 of original plat of City of Fort Wayne.

Approved.

Ordered sent to the Street Engineering Department for handling.

18. Received unsolicited proposal from Honeywell, Inc. for Advanced Technology Computer for Water Pollution Control Plant Expansion.

Rejected.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Edward D. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, May 24, 1979

Department of Public Works
Office of the Board
Room 910, City County Building
Regular meeting held at 3:30 p.m.

H. P.WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEhrenberg, E. H. Lamar
Ursula Miller

Received minutes of meetings held on Monday, May 21, 1979 at 9 a.m. and Wednesday, May 23, 1979 at 9 a.m.

1. Continued from May 17, 1979
HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 167-79 for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the Southeast Quarter of Section 15, Township 31 North, Range 12 East, Southwest Quarter of Section 14, Township 31 North, Range 12 East and part of Northeast Quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the South by a line 250 feet South of the South right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3). (MODIFIED)
(SEWER RESOLUTION NO. 878-79).

Continue to Thursday, May 31, 1979 at 3:30 p.m.

2. PUBLIC HEARING:

Resolution No. 67-133-25
Re: Fort Wayne Water Pollution Control Utility - General Rules and Regulations (Additions).

CONFIRMED.

Ordered sent to General Superintendent of City Utilities for implementing.

3. Hereby the City of Fort Wayne, Indiana, quit-claims to George I. Coplen and Geneva Coplen a parcel of land in the Northwest Quarter of the Southeast Quarter of Section 11, Township 32 North, Range 13 East, Allen County, Indiana. (See Exhibit "A") RE: Cedarville Reservoir.

Note: Quit-claim Deed corrects an erroneous legal description set forth in a previous deed executed by grantees on January 11, 1954, recorded January 12, 1954 in the office of the Recorder of Allen County in Deed Record Book 476, pages 30-31.

Approved. Copy on file incorporated herein.

4.	Received Grant of Temporary Easement from Darrell G. Brooks over the East 20 feet of Lot #31 of Ludwig Park Addition as recorded by Plat Book 23, Pages 49 and 50.	Approved. Ordered Water Pollution Control Engineer to record. On file in the Board of Public Works.
5.	Received request from Moellering Construction Company, 3400 Engle Road, for permission to barricade Jefferson Blvd. at Swinney Park (at both railroad tracks) from 9:00 a.m. till 3:00 p.m. each day on Tuesday and Wednesday, May 22 and 23 and Wednesday and Thursday, May 30 and 31, 1979. PURPOSE: Rebuild railroad crossing.	Approved and permit issued.
6.	Received a request from Kingston Park Neighborhood Association (Thomas Gallant), 4302 Charter Lane, for permission to barricade 4300 block Charter Lane from Mathias to Clarmarnic on Saturday, June 2, 1979 from 1:00 p.m. till 10:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
7.	Received a request from Three Rivers Festival % Earl Mears, 4009 E. State Blvd., for permission to hold a parade on Saturday, July 7, 1979 from 9:30 a.m. till 12:00 Noon. Starting location: Wayne and Broadway and Terminating point: Calhoun and Superior. Route to be traveled: Wayne at Broadway, East on Wayne to Calhoun and north on Calhoun to Superior. PURPOSE: Opening Day of Festival.	Approved and permit issued.
8.	Received a request from Three Rivers Festival % Earl Mears, 4009 E. State Blvd., for permission to barricade streets over which parade will travel on Saturday, July 7, 1979 from 9:00 a.m. till 12:30 p.m. PURPOSE: Festival parade.	Approved and permit issued.
9.	Received invoice No. 1 of Wayne Asphalt and Const. Co. in the amount of $125,964.75 approved by the Street Engineering Department covering Resurfacing Resolution No. 5820-78 Broadway Resurfacing (Creighton to Berry).	Approved and ordered paid from MVH Spec. Dist. Account 29-881-265.

Meeting adjourned at 10:55 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Secretary and Clerk

Wednesday, May 30, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

2622 Valley Forest Dr. ------- Kessel Const. Co.
1215 Wells St. --------------- No. Side Plbg. & Htg.

4. Received driveway applications: — Approved and permtis issued.

8202 Baer Rd. --------------- Brooks Const.
Douglas bet. Barr and Lafayette--- Wayne Asphalt
227 West Fleming Ave. ------------ Ned Keener Const.
5712 Inland Trail ---------------- NuHouse Inc.
5718 Inland Trail ---------------- NuHouse Inc.
3703 Limestone (2 accesses) ------ Wayne Asphalt
313 W. Oakdale ------------------- Ned Keener Const.

5. Received street cut applications: — Approved and permits issued.

2608 Alma (prkstrp) ----------	C.U. Water Maint
1307 Applewood Rd.	Nipsco
Ardmore / 3815 U.S. #24 W.	"
2604 Busche	"
No. side Coldwater & Coliseum	C.U. Water Maint.,
714 Curdes	NIPSCO
5312 Forest	"
Kinnaird & So. Wayne	C.U. Water Maint.
Kinsmoor, Piedmont, Nuttman, Ozark and Vesey	NIPSCO
4822 Gaywood (prkstrp)	C.U. Water Maint.
3413 Lillie	"
5114 Martinique	NIPSCO
W. Masterson /1829 Fairfield	"
714 Michaels	"
1207 Michigan (prkstrp)	C.U. Water Maint.
5022 Nevada	NIPSCO
3020 Ojibway Trail (prkstrp)	C.U. Water Maint
1014 E. Pontiac (alley)	NIPSCO
720 Ridgewood	"
5718 Sandra Lee	"
1811 Shamrock Rd.	"
1225 Shoreview Dr.	"
1111 E. Wallace	"

1216 Lake (alley)	---	NIPSCO
908 Madison	---	"
722 Colerick	---	"
3419 Addison	---	"
1121 Burgess (prkstrp)	---	"
2914 John	---	"
4413 S. Colonial	---	"
120 W. Main (alley)	---	"
5022 Nevada	---	"
1119 Columbia (alley)	---	"
2726 John	---	"
2715 John	---	"
714 Curdes	---	"

6. RECEIVE BIDS:

Street Improvement Resolution No. 5830-79 for improving Production Road on the North and South sides from the west pavement edge of State Road #3 to a point 425 feet west thereof, and to lengthen westbound left turn lane on State Road #3:

L. W. DAILEY, INC. --------- $61,598.25

HIPSKIND ASPHALT CORP. ------ $65,992.50

MOELLERING CONST. CO. ------- $50,951.00

RIETH-RILEY CONST. CO. ------ $54,770.00

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, June 4, 1979 at 9:00 a.m.

7. RECEIVE BIDS:

Street Improvement Resolution No. 5837-79 for improving by repairing and painting the Mechanic Street footbridge between Mechanic Street and Swinney Park over the St. Marys River:

HEAVY CONST. CO. -------- $19,495.00

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, June 4, 1979 at 9 a.m.

8. Received tabulation and recommendation prepared by the Street Engineering Department for Curb and Sidewalk Resolution No. 5829-79 - Part I - Oxford Neighborhood Phase IV. Part II-LaRez Neighborhood Phase II.

Award contract to Hipskind Concrete Company at and for their bid in the amount of $115,227.70 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract and necessary documents.

9. Received Revised Purchase Order 9974 for Bercot, Inc. revising total to $226,656 and Revised Purchase Order 9922 for John Dehner, Inc. revising total to $30,964 all in regards to Flood Emergency Resolution No. 65-289-7.

Approved. Ordered City Utilities General Superintendent to seek reimbursement from Federal Government.

10. Received Street Lighting Resolution No. 137-79, final plans, estimate, specifications and property ownership list prepared by the Street Lighting Engineering Department for installation of street lighting in the Harrison Hill Area, more specifically defined as Harrison Street from the north right-of-way Sherwood Terrace to the south right of way of Lexington Avenue, Hoagland Avenue from the north right of way of Pasadena Avenue to the south right of way of Lexington Avenue, South Cornell Circle from Hoagland Avenue to Calhoun Street, South Seminole Circle from Radial Lane to Calhoun Street, Radial Lane from Hoagland Avenue to its intersection with North and South Seminole Circle, North Seminole Circle from Radial Lane to Calhoun Street, North Cornell Circle from Hoagland Avenue to Lexington Avenue, Lexington Avenue from east right-of-way of Hoaglnad Avenue to the west right of way of Calhoun Street, Harrison Boulevard from the north right of way to Lexington Avenue to the south right of way of Rudisill Boulevard, Branning Avenue from the first alley west of Harrison Boulevard to the west right of way of Calhoun Street, West Forster Parkway from the first alley west of Harrison Boulevard to the west right of way of Calhoun Street, Arlington Avenue from the north right of way of Pasadena Avenue to the south right of way of Rudisill Boulevard, Clermont Avenue from the first alley west of Arlington Avenue to the west right of way of Fairfield Avenue, Maxine Drive from the first alley west of Arlington AVenue to the west right of way of Fairfield Avenue, Maxine Drive from the west right of way of the first alley west of Hoagland Avenue to the west right of way of Hoagland Avenue, Lexington Avenue from the first alley west of Arlington Avenue to the west right ofway of Fairfield AVenue, Branning Avenue from the first alley west of Arlington Avenue to the west right of way of Fairfield Avenue, West Foster Parkway from the first alley west of Arlington Avenue to the west right of way of Fairfield Avenue and Buell Drive from the north right of way of Pasadena Avenue to the centerline of Clermont Avenue.	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners on June 8 and June 15, 1979. Hearing on Confirmation Thursday, June 28, 1979 at 3:30 p.m. Mail notices on June 15, 1979.
11. Received Curb and Sidewalk Resolution No. 5831-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving Hobson Road and Lake Avenue Intersection to provide left turn lane on Lake Avenue for northbound traffic on Hobson Road and to provide right turn lane on Hobson for westbound traffic on Lake Avenue; North side of Lake Avenue from 513 ± feet west of Hobson Road to 455 ± feet east of Hobson Road; west side of Hobson Road from north curb line of Lake Avenue to 400 ± feet north thereof. (CITY PAID).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Contractors on June 1 and June 8, 1979. Receive bids on Wednesday, June 13, 1979 at 9:00 a.m. Ordered the Street Engineering Department to prepare bid documents.

12. Received release from Lavonne M. Garr and Mildred Lotter in Allen Superior Court Cause No. S-78-369 and S-78-370 in consideration of $15,000 from the City of Fort Wayne and Crum and Forster Insurance Companies.

Approved.

13. Received inspection report and Primary Assessment Roll prepared by the Water Pollution Control Engineering Department for Sanitary Sewer Resolution No. 876-78 McKinley-Connett-Edwards Area.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment- June 8 and June 15, 1979.

Hearing on Confirmation of Assessment Roll Thursday, June 28, 1979 at 3:30 p.m.

Notices to be mailed on June 15, 1979.

14. RESOLUTION NO. 67-168-14

Approved.

WHEREAS, John Dehner, Inc. has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

Commencing at the Southwest corner of Hatfield Road where Hatfield Road intersects with Interstate Highway 69 then east to the east boundary line of Hatfield Road then north, a distance of 549.9 feet; then west 50 feet to the west boundary line of Hatfield Road then south to the point of beginning.

15. Received invoice No. 75-04-310-01-0-10 of HNT & B (H. B. Steeg & Assoc. Div.) in the amount of $720.00 for professional engineering services performed in connection with the preparation of Volume I of the Operation and Maintenance Manual STORM WATER TREATMENT FACILITIES and SLUDGE LAGOON FACILITIES. Bill in accordance with Contract dated April 15, 1975. This is final submission - Lump sum fee.

Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

16. Received invoice No 75-04-310-01-0-11 of HNT & B (H. B. Steeg & Associates Div.) in the amount of $1,620.00 for professional engineering services performed in connection with the preparation of Volume II of the Operation and Maintenance Manual - WATER POLLUTION CONTROL PLANT ADDITIONS. Billing in accordance with Contract dated April 15, 1975. This is final submission - Lump sum fee.

Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

17. Received Special Sewer Permit for G & L Corporation prepared by the Water Pollution Control Engineering Department and Performance Bond of G. & L Corporation to construct sanitary sewer known as G & L Corp. Sanitary Sewer Extension.
Ground Services, Inc. is to perform the construction work.

Approved and Special Sewer Permit issued.

Board Order No. 69-79.

18. Received Special Street Permit for Wendy's Restaurant prepared by the Street Engineering Department to construct Inwood Drive North of Lake Avenue 354 feet from centerline of Lake Avenue.

Approved and permit issued.

Ordered sent to the Street Engineering Department for distribution.

19. Received invoice of John Dehner, Inc. in the amount of $4,290.70 prepared by Street Engineering Department for reconstruction of ramp entrances - City-County Building.

Approved and ordered paid from Cumulative Capital Fund 45-661-713.

20. Received Invoice No. 8 pf Martindale, Tourney, Gibson, Inc. Architects, in the amount of $2,326.56 covering architectural services per agreement dated November 3, 1976 for REMODELING AND ADDITION TO HUMANE SHELTER. (Final).

Approved and ordered paid from Revenue Sharing Account.

21. Received Acceptance Agreements on Project No. EPA No. C-180538-01 Water Quality Control Project - as recommended by H.N.T. & B - Henry B. Steeg and Associates Div. and accepted by Hagerman-Shambaugh (joint bidders) for DIVISION I:

1. Motor control center - C located on the south wall of the existing blower room floor.
2. MCC-A located in the new Aeration Tunnel, extreme east end of new Aeration Tanks.
3. MCCP2 located above Grit Chamber near existing garage area.
4. MCC P 4 existing Aeration Building 1st Floor.
5. MCC P1-1 - New Blower Control Room.

Approved.

Warranty and Guarantee established as follows:

1. Oct. 19, 1979
2. Oct. 19, 1979
3. Oct. 19, 1979
4. Oct. 19, 1979
5. Oct. 19, 1979

22. Received Modification No. 3 to Lease NOy (R)-42114 covering 2.035 acre site at Dwenger Avenue and Lyons Street, Fort Wayne, Indiana, to Department of the Navy by the City of Fort Wayne, Indiana.

Approved and on file in the Board of Public Works.

23. Received inspection report from the Street Engineering Department and Completion Affidavit of Affordable Homes by John Pelkington, Inc. with Guaranty Bond in the amount of $8,321.00 signed by Fidelity and Deposit Company of Maryland for SENECA HILLS SECTION II - Aspen Court and Louisedale Drive Extended to west property line of Lots #55 and #59 for maintenance.

Approved.

Ordered acceptance letter written.

24. Received Utility Agreements from Street Engineering Department for Northern Indiana Public Service Company concerning Utilities Use of Public Rights-of-way in connection with Projects RRP-F104, RRP-F248 and RRP-F776 (Norfolk and WEstern Railroad Crossings - Brooklyn, Nuttman and Van Buren).

Approved.

A true copy is incorporated herein.

25. Received invoice of Westinghouse Electric Corporation, Inc. in the amount of $8,050 approved by the General Superintendent of City Utilities for the Water Pollution Control Plant Expansion Project.

Approved and ordered City Utilities to pay invoice under Purchase Order No. 0060 dated June 2, 1978.

26. Received a request from NIPSCO (Mr. Rasp) 1501 Hale Avenue for permission to hood three meters (#319, 321 and 207) in the 200 block of East Berry on Thursday, May 24, 1979 thru Wednesday, May 30, 1979 at all times.
PURPOSE: Installation of new gas main.

Approved and permit issued.

27. Received a request from NIPSCO (Paul Bangert) 1501 Hale Avenue for permission to barricade alley between Anthony and Euclid from Antoinette to Pontiac on Friday, May 25, 1979 thru Tuesday, May 29, 1979 at all times.
PURPOSE: Emergency - trench lines caving in with wet ground.

Approved and permit issued.

28. EMERGENCY RESOLUTION NO. 67-170-28

WHEREAS, a sewer collapsed behind 325 Field Street and an Emergency exists for its repair; and

WHEREAS, estimates for said repair were solicited from L. W. Dailey, Inc., John Dehner, Inc., and T - G Excavating, Inc.; and

WHEREAS, T - G Excavating, Inc. was low bidder in the amount of $4,660.00:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists for said repair and orders the General Superintendent of City Utilities to issue a Purchase Order to T-G Excavating, Inc. in the amount of $4,660.00 for said repair.

Approved this May 30, 1979.
A true copy is incorporated herein.

Meeting adjourned at 11:00 a.m.

Henry R. Wehrenberg
Edward D. LaMar
Mary L. Todd
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Secretary and Clerk

Thursday, May 31, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Thursday, May 24, 1979 at 3:30 p.m. and Wednesday, May 30, 1979 at 9 a.m.

1. Continued from May 24, 1979
HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sanitary Sewer Easement Resolution No. 167-79 MODIFIED for the condemnation of permanent and temporary sewer easements for the purposes to construct, operate, control and maintain a sanitary sewer line along and across a portion of the southeast quarter of Section 15, Township 31 North, Range 12 East, Southwest quarter of Section 14, Township 31 North, Range 12 East and part of Northeast quarter of Section 22, Township 31 North, Range 12 East, bounded on the North by the South right-of-way line of Ludwig Road, bounded on the south by a line 250 feet south of the south right-of-way line of Washington Center Road, bounded on the East by the West line of the Southwest Quarter, Section 14, Township 31 North, Range 12 East, bounded on the West by Lima Road (State Road #3). (SEWER RES. 878-79).

CONFIRMED and ordered sent to the Department of Finance.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Improvement Resolution No. 5796-78 for improving Columbia Street - commonly identified as "The Landing" - with reconstructed sidewalks, curbs, street lighting, storm drainage and resurfacing, commencing at the west property line of Calhoun Street to the east property line of Harrison Street, also sidewalk and curb improvements along the east side of Harrison Street, commencing at the south property line of Columbia Street and running south 150 feet thereof, also sidewalk and curb improvements on the east side of Harrison Street, commencing at the north property line of Columbia Street and running north 110 feet thereof.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

3. Pursuant to Special Ordinance S-155-78, received recommendation of Bernard T. Perry, CPA, and Edmund Stanczak, City Utilities General Superintendent, to make the following reductions in Water Pollution Control Utility's rate schedules:

1. Lower minimum for 5/8 - 3/4" meter to 500 cu. ft. per month.
2. Reduce flat charge usage to 1,000 cu. ft. for in-city users and 1,200 cu. ft. for out-city users.
3. Reduce user charges and strength of waste charges by 4% across-the-board.

Approved.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

4. Received Utility Easement whereby Amoco Oil Company grants to the City of Fort Wayne, Indiana, an easement over and upon a tract of ground located in Allen County, State of Indiana.
Re: Ludwig Park Sanitary Sewer 878-79
Easement Resolution 167-79 MODIFIED.

Approved.

Ordered Water Pollution Control Engineering Department to record Utility Easement.

5. Received a request from Church of Christ % Jessie B. Jackson, 429 W. Leith Street, for permission to hold a parade on Saturday, June 2, 1979 from 11:00 a.m. till 12:00 noon. Route to be traveled: Anthony at Pontiac, Pontiac west to Warsaw; Warsaw south to Leith; west one block on Leith to 429 W. Leith.
PURPOSE: Gospel Meeting parade.

Approved and permit issued.

6. Received a request from Crescent Avenue Church (Ken Traylor) 1232 Crescent, for permission to barricade Vermont Avenue from California to Forest Park Boulevard on Sunday, June 3, 1979 from 9:30 a.m. till 11:30 a.m.
PURPOSE: Church services in Rose Garden.

Approved and permit issued.

7. Received a request from George Stein, 2821 Corvalis, for permission to barricade Corvalis from Gates Court to Belle Vista on Saturday, June 9, 1979 from 4:00 p.m. till 7:00 p.m.
PURPOSE: Graduation Block Party.

Approved and permit issued.

8. Received a request from Sally Jones, 926 Prange, for permission to barricade Prange from Indiana to Beaver on Friday, June 15, 1979 from 5:00 p.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

Meeting adjourned at 4:15 p.m.

Henry P. Wehrenberg

Edward W. LaMar

Mary A. Ho

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, June 4, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received sidewalk applications: — Approved and permits issued.

7015 Markwood Road ---------- A. D. Delagrange
1441 Springbrook Rd. ---------- A. D. Delagrange

4. Received driveway applications: — Approved and permits issued.

1314 N. Anthony ---------- Gateway Const. Co.
3510 Barr St. ---------- Emil Holliday
1207 N. Harrison ---------- Zumbrun Const. Co.
5022 Nevada ---------- Continental Homes
5045 Tacoma Blvd. ---------- Worthman Homes

5. Received street cut applications: — Approved and permits issued.

Beadel & Catalpa --- C.U. Water Maint.
7102 S. Calhoun (prkstrp) --- "
448 E. Creighton (prkstrp) --- "
2115 Dodge --- NIPSCO
Inwood Rd. & Lake (prkstrp) --- C.U. Water Maint.
1020 E. Jefferson (alley) --- NIPSCO
2550 Springfield --- "
5305 E. State --- "
4752 Trier (prkstrp) --- C.U. Water Maint.
Vermont & Anthony --- "
Washington E/o Calhoun and Clinton and N/o Washington Blvd. ---------- Ind. & Mich. Elec.
1101, 05, 09 and 23 Wells Street--- Hipskind Asphalt Corp.
7301 Old Decatur Rd. --- NIPSCO
430 W. Packard (prkstrp) --- "
4606 Highwood --- "
402 W. Butler --- "
1221 Ferguson --- "

6. Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5837-79 for Mechanic Street Footbridge repairing and painting.	REJECT THE BID.
7. Received tabulation and recommendation prepared by the Street Engineering Department for Street Improvement Resolution No. 5830-79 - Production Road - Lima Road Intersection.	Awarc contract to Moellering Const. Company at and for their bid in the amount of $50,951.00 subject to councilmanic approval. Ordered the Street Engineering Department to prepare contract anc necessary documents.
8. Received plat of Brandon - Wood approved and submitted by the City Plan Commission.	Approved.
9. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Shambaugh & Son, Inc. with guaranty bond in the amount of $60,000 signed by The American Insurance Company for Parkview School of Nursing Sanitary and Storm Sewer.	Approved. Ordered acceptance letter written.
10. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Schenkel & Sons, Inc. with guaranty bond in the amount of $1,000 signed by The American Insurance Company for Ley Road Storm Sewer Extension (5005 Industrial Road).	Approved. Ordered acceptance letter written.
11. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Scheidleman & Miller Excavating, Inc. with guaranty bond in the amount of $15,200 signed by American States Insurance Company for Canterbury Green, Phase VIII, Sanitary and Storm Sewers.	Approved. Ordered acceptance letter written.
12. Received invoice from American Public Works Association for Public Agency Membership for period of July 1, 1979 to July 1, 1980 in the amount of $420.00.	Approved. Ordered paid by City Utilities.
13. Received Notice of Building Encroachment Easement upon the City - a triangular area, + 525 sq. ft. of paved parking lot plus a large sign on a triangular - 8' each side - support - for Azar's, Inc. 1033 E. Tillman Road, Ft. Wayne, Ind., (Landowner: Village Two, Inc. 6700 E. State Street, Ft. Wayne, Indiana.	Approved. Filed in the Board of Public Works.

14. Received Street Improvement Resolution No. 5833-1979, final plans and specifications for improving Main Street from Maiden Lane east to Calhoun Street consisting of widening and replacement of existing street with new concrete pavement, curbs, sidewalk, street lighting, storm sewers and traffic signalization.

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors June 8 and June 15, 1979.

Receive bids on Wednesday, June 20, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

15. Received quotations from the Purchasing Agent for blanket purchases of materials for the Street Department:

ONLY BIDDER:

BITUMINOUS MATERIALS

* 150,000 gal.- CRS-2 Chip & Seal Asph. Emulsion---$.4725/gal.

** 300 tons - Ap-3 Pen. Asph. Cement ---------- $101.27/ton
100 tons -Ap-1 Pen. Asph. Cement ---------- $101.27/ton
100 tons -Ap-5 Pen. Asph. Cement ---------- $101.27/ton

*** 20,000 gal. - AE-150 Asph. Emulsion --------- $.4925/gal.

Approved and accepted bids of Bituminous Materials under the following purchase orders:
* --- P.O. 4-06376
** --- P.O. 4-06377
*** --- P.O. 4-06378

Sent to Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

16. Received quotation from the Purchasing Agent for purchase of tapping sleeves for the Water Maintenance & Service Department:

ONLY BIDDER:

PRICE BROTHERS COMPANY ----- $3,988.00

Accepted bid of Price Brothers Company in the amount of $3,988.00 under Purchase Order No. 001109.

Ordered sent to the Common Council on Tuesday, June 12, 1979 at 8:00 p.m.

17. Received invoice of Carrington & Associates, Inc. in the amount of $4,440.75 prepared by the Street Engineering Department covering miscellaneous project: corner replacement - Fairfax & Buell; alley radius cut backs - adjacent fire station (east side) Rudisill Blvd.; and corner wingwalk and curbs at Fairfield & Lexington.

Approved and ordered paid from Fund No. 402-128-129-4265.

P.O. 4-03733.

18. Received invoice of Carrington & Associates, Inc. in the amount of $132.06 prepared by the Street Engineering Department covering replacement of curbface walk at 4600 Old Mill Road.

Approved and ordered paid from Fund 402-128-129-4265.

P.O. 4-03765.

19. Received invoice of Emil Holliday in the amount of $150.00 covering retainage on miscellaneous repairs of wingwalks, alley returns and pavement replacement: Thompson Ave, Spring & Tyler, Clinton & Oakdale, Columbia and Morton and 1421 Columbia.

Approved and ordered paid from Fund No. 28-881-265.

P.O. 4-04292.

20. Received partial payment estimate #4 of Spears-Dehner, Inc. in the amount of $540.00 prepared by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 303-78 Monarch Park Drain, Phase II.

Approved and ordered City Utilities to pay invoice in the amount of $540.00 to Spears-Dehner, Inc.
Also pay to Spears-Dehner, Inc. Escrow Account $60.00 at Lincoln National Bank.

Payments are to be made from the WPC Utility Fund.

21.	Received partial payment estimate #5 of Spears-Dehner, Inc. in the amount of $3,254.85 prepared by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 303-78 - Monarch Park Drain Improvement Phase II.	Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund in the amount of $3,254.85. Also ordered payment of $361.65 made to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank.
22.	Received invoice of Schmidt Elec. Inc. in the amount of $4,834.80 prepared by the Street Lighting Engineering Department covering work on Street Lighting Resolution No. 133-78 - West Central Phase III.	Approved and ordered paid by Community Development and Planning.
23.	Received a request from Norfolk & Western Railroad (Ed Hauser - Div. Engrs.' Office) for permission to barricade Ardmore Avenue at railroad tracks on Monday, June 4, 1979 from 8:00 a.m. till 2:30 p.m. PURPOSE: Resurfacing rail crossing.	Approved and permit issued.
24.	Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade Ewing Street - Baker to Jefferson on Monday, June 4, 1979thru Wednesday, June 6, 1979 starting at 5:30 p.m. on 6/4/79 - closed at all times. PURPOSE: Repair of broken gas lines caused by digging for city project.	Approved and permit issued.
25.	Received a request from Lutelia Reed, 1229 Fletcher, for permission to barricade the 600 block of East Wayne Street from Monroe Street to alley (in front of St. John's Church) on Saturday, June 9, 1979 from 12:00 Noon to 8:00 p.m. PURPOSE: Block party.	Approved and permit issued.
26.	Received Change Order No. 1 of Bercot, Inc. in the decrease amount of $170.00 prepared and approved by the Water Engineering Department regarding Ardmore Avenue Water Main Extension Project. Res. 78-XP-1.	Approved. Ordered sent to Water Engineering Department for handling.
27.	Received invoice No. 70-10-210-01-1-09 of McNamee, Porter and Seeley in the amount of $11,823.92 approved by the General Superintendent of City Utilities for general engineering and resident engineering for water works improvements in accordance with Contract between the City and the Engineers dated December 7, 1970 and Amendment No. 1 dated March 30, 1977.	Approved. Ordered City Utilities to pay invoice. Payment is to be made from the Water Utility Fund.
28.	Received Contract, Guaranty and Liability Bonds in the amount of $70,633.25 of T - G Excavating, Inc. prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 877-79 - Wilkie Addition Sanitary Sewer.	Approved and ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.
29.	Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation in the amount of $195,913.25 prepared by the Street Engineering Department for Improvement Resolution No. 5826-79 Bluffton Road and Old Trail Road Intersection.	Approved and ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

30. Received invoice #50 of Hagerman-Shambaugh (joint bidders) in the amount of $21,077.10 approved by HNT & B (H.B. Steeg Div.) for the period of March 21, 1979 to April 27, 1979 for Water Quality Control Project Division I Water Pollution Control Plant Additions.

Approved and ordered City Utilities to pay invoice in the amount of $21,077.10.

Also, ordered the amount of $1,109.32 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank.

Payments are to be made from the Water Pollution Control Utility Fund.

31. Received a request from Paul Habecker, 2340 Indian Village Blvd., for permission to barricade Indian Village Blvd. (North and South Boulevards) from Wawonaissa to Nokomis on Sunday, June 24, 1979 from 2:00 p.m. till 8:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

Meeting adjourned at 10:00 a.m.

Henry P. Ahrenberg

Edward H. Lamar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, June 6, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H.P. Wehrenberg, E.H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Thursday, May 30, 1979 at 3:30 p.m. and Monday, June 4, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permit issued.

7015 Markwood Rd. --------- A. D. Delagrange
1441 Springbrook Rd. ------ A. D. Delagrange
Tillman Rd. & John St. for
Southtown ---------- Hipskind Asphalt Corp.
3020 Vance Ave. ---------- Hipskind Asphalt Corp.

4. Received private sidewalk application: — Approved and permit issued.

717 Goshen ----------Leroy H. Kanning

5. Received street cut applications: — Approved and permits issued.

1504 Bluffton (2)	NIPSCO
2612 Charlotte (prkstrp)	C.U. Water Maint.
3207 Chestnut	C.U. Water Maint.
3027 Chestnut (alley)	Earl Baker
Fairfield & Creighton	C.U. Water Maint.
5332 Gradenview	"
6224 and 6304 Goodfellow	NIPSCO
1801 Gruber	"
4120 Harris Rd.	"
2522 Knollwood Ct. (prkstrp)	C.U. Water Maint.
2909 Lynn	NIPSCO
1220 Medical Pk. Dr. (prkstrp)	C.U. Water Maint.
5119 Roberta	NIPSCO
1721 Shamrock (prkstrp)	C.U. Water Maint.
6230 and 6313 Shell	NIPSCO
4555 Speedway	Dailey Asphalt
Taylor and Ardmore	C.U. Water Maint.
5229 Webster	"
Broadway & W. Creighton	NIPSCO
1020 Goshen	"
2909 Lynn	"
333 E. Berry	"
725 Columbia	"
619 S. Harrison (alley)	"
2134 24th St.	"
1511 Sherman	"

(alley) N. of Boone and W. of Mechanic	---	NIPSCO
201 E. Branning (alley	-	"
Corners: Broadway at Creighton intersection -curb face walk-		Traffic Engr. Dept.
Coliseum Blvd. at Coldwater -		C.U. Water Maint.
2715 Clara	---	NIPSCO
Culbertson & Catalpa	---	C.U. Water Main
726 Curdes	---	NIPSCO
237 Elmer	---	C.U. Water Main
201 W. Fleming (alley)	---	NIPSCO
2024 Florida	---	"
2304 Holly (prkstrp)	---	C.U. Water Maint.
704 Kinsmoor (prkstrp)	---	"
2016 Lakeview (prkstrp)	---	"
5721 Larchwood	---	NIPSCO
4316 Marvin (parkstrp)	---	C.U. Water Maint.
3904 Shannon	---	NIPSCO
2926 So. Wayne (prkstrp)	---	C.U. Water Maint.
1215 Wells	---	No. Side Plbg.
Speedway Dr. 300' So. of Lev Road	---	Gen. Tele.
3101 Bowser	---	NIPSCO
2834 Parnell / Kenwood	---	"
340 E. Berry (alley)	---	"
921 Caribe Blvd.	---	"
1621 Oakland	---	"
122 E. Washington	---	"
5316 Illinois Rd.	---	"

6. Received Final Assessment Roll prepared by the Street Engineering Department for Improvement Resolution No. 5796-78 - "The Landing" Columbia Avenue.

CONFIRMED.

Ordered sent to the Department of Finance.

7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Improvement Resolution No. 5798-78 to construct sidewalk on both sides of Tillman Road beginning at a point on the north side of Tillman Road 105 ± feet east of the east property line of South Anthony Boulevard (Sta. 30+40), running east to the west property line of Hessen Cassel Road a distance of 4315 feet (Sta. 73+55) and on the south side beginning at a point 345 ± feet east of the east property line of South Anthony Boulevard (Sta. 32 + 75), running east to the east property line of Lot #12 (sta. 47 + 30) J.O. Black's Addition a distance of 1,455 ± feet to a width of five feet.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment June 15 and June 22, 1979.

Hearing on Confirmation of Assessment Roll Thursday, July 12, 1979 at 3:30 p.m.

Notices to be mailed June 22, 1979.

8. RECEIVE BIDS:

Improvement Resolution No. 5836-79 prepared by the Street Engineering Department for repairing cracks and joints and sealing entire surface of the City-County Building Parking Plaza:

BROOKS CONST. CO

INDUSTIRAL COATINGS & SUPPLY

KINDER CONST. CO.

MIDWEST CAULKING, INC.

RIETH-RILEY CONST. CO.

NO BIDS RECEIVED.

Ordered the Street Engineer to take invitational bids.

9. Received a request from Roto Rooter, 3714 Lake Avenue, for permission to barricade alley - rear of 4020 Buell Drive between W. Foster Parkway and Branning on Thursday, June 7, 1979 thru Friday, June 8, 1979 from 8:00 a.m. through 5:00 p.m. PURPOSE: Replace cement from last winter (December) project.	Approved and permit issued.
10. Received a request from Frank Brisco, 130 E. Wayne, for permission to barricade the second lane south of the north property line of Washington Boulevard from Calhoun to Clinton Street on Friday, June 8, 1979 from 7:00 a.m. till 4:00 p.m. PURPOSE: Pouring a concrete wall at construction site north of Washington Boulevard.	Approved and permit issued.
11. Received a request from Mrs. David Zelt, 723 Kinsmoor, for permission to barricade the 700 - 800 block of Kinsmoor between South Wayne and Indiana on Saturday, July 7, 1979 from 12:00 Noon till 11:00 p.m. PURPOSE: Block party.	Approved and permit issued.
12. Received Wage Agreement between the City of Fort Wayne and the International Union of Operating Engineers, Local #19 (Water Pollution Control Plants) for the years 1979 and 1980.	Approved. On file in the Board of Public Works.
13. Received partial payment estimate No. 4 of Hagerman-Shambaugh (joint bidders) in the amount of $319,145.09 prepared and approved by McNamee, Porter and Seeley, Consulting Engineers, for Water Contract No. 77-W-2 Filtration Plant Expansion.	Approved and ordered City Utilities to pay invoice of Hagerman-Shambaugh in the amount of $ 319,145.09. Also ordered the amount of $35,460.57 paid to Hagerman-Shambaugh Escrow Account at Fort Wayne National Bank.
14. Received invoice from City Controller (Barrett Law Department) in the amount of $150.12 covering balance of City cost on Sidewalk Resolution No. 5761-77 Southwood Park.	Approved and ordered paid from MVH Fund.
15. Received partial payment estimate No. 16 of T & F Construction Corporation in the amount of $13,036.11 covered by Street Lighting Resolution No. 125-77 - EDA -06-51-26289. Amount approved by the Street Lighting Engineering Department.	Approved and ordered the amount of $13,036.11 paid to T & F Construction Corp. by the City Controller. Also, ordered T & F Const. Corp. Escrow Account at Indiana Bank & Trust Company paid the amount of $686.11. Payments are to be made from LPW II Fund.
16. Received invoice of Dailey Asphalt Products Company in the amount of $32,513.32 approved by the Street Engineering Department covering filling City Streets Potholes in Area #1 Northeast. 67-78-14	Approved and ordered paid from Fund No. 402-128-129-4265. P.O. 4-03717.

17. Received Special Street Permit for Joe Derheimer & Sons prepared and approved by Street Engineering Department for Kercheval Park Section II - Bohnke Drive.

Approved and permit issued.

18. SEWER TAP AGREEMENT REIMBURSEMENT:

Permission is hereby granted to Robert & Donna Carteaux - to serve 5826 and 5830 Industrial Drive - amount $5,496.81 and Advance Realty Corp. - to serve 5616 and 5620 Industrial Drive - amount of $9,676.80. Said permission is conditioned upon the payment of the total amount of $15,173.61 to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. S-190-78, dated October 2, 1978. It is further conditioned upon a sewer tap permit being taken out with Water/Sewer Service Permit Room.

Approved.

Ordered the City Utilities to remit the sum of $15,173.61 which sum was deposited with the City by the applicants to be distributed as set out in the Special Sewer Tap Agreement. Remit money to Hewes Industrial Company.

19. EMERGENCY RESOLUTION NO. 67-181-19

RE: Old Fort Wayne Visitors' Center and Channel Improvement on St. Mary's River

WHEREAS, the Department of Natural Resources ordered the City of Fort Wayne/Historic Fort Wayne to either remove unauthorized structures from the floodway of the St. Mary's River or in the alternative to compensate for said restriction by excavating material from the west bank of said river; and

WHEREAS, the City of Fort Wayne/Historic Fort Wayne has received approval by the Department of Natural Resources, in the alternative to remove 1500 cubic yards of material from the west bank of the St. Mary's River; and

WHEREAS, under Common Council Resolution 86-74 the City accepted the responsibility to landscape and develop land on the west side of the St. Mary's River; and

WHEREAS, an Emergency exists to have this work completed by August 8, 1979; and

WHEREAS, the quotation of John Dehner, Inc. in the amount of $8,200 is the low bidder:

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency exists to have said work performed and orders a Purchase Order issued to John Dehner, Inc. for $8,200.

Approved this June 6, 1979
A true copy is incorporated herein.

20. Received plat of Franke Park Villas, Section 2, approved and submitted by the City Plan Commission.

Approved.

Meeting adjourned at 10:50 a.m.

Henry P. Wehrenberg

Edward W. Pauken

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, June 11, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meeting held on Wednesday, June 6, 1979 at 9:00 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permit issued.

626 Archer ---------- Jon A. Studler
1805 Duprey Dr. ---------- Walt Lengacher Consts.
1101 Vance ---------- Emil Holliday

4. Received driveway applications: — Approved and permit issued.

2710 Broadway ---------- Rieth-Riley Const. Co.
6125 Goodfellow Dr. ------ Stylemaster Mfg. Corp.
6202 Goodfellow Dr. ------ Style Master Homes
4829 Madiera ---------- R. Hollandswort
2615 Mounded Court -------Stratford Homes
1225 Shoreview Dr. ------- Stratford Homes
4555 Speedway Dr. -------- Dailey Asphalt
747 W. Superior (close two approaches)-------- Hawk Const.
1101 Vance ---------- Emil Holliday
4120 So. Webster --------- Brooks Const. Co.

5. Received street cut applications: — Approved and permits issued.

3127 Addison ----------NIPSCO
6805 Bluffton - N.E. Corp.
1415 Broadway - C.U. Water Maint.
1710 S. Calhoun - "
2110 Cozy Ct. - NIPSCO
6612 Durango Dr. - "
3014 Fairoak DR. - "
3012 Fairoak Dr. - "
1131 Farwood - "
1221 Ferguson - "
3905 S. Harrison - "
3518 Harvester (prkstrp) - C.U. Water Maint.
2522 Knollwood Ct. - NIPSCO
Marston Dr. & Colwyn Ln. (prkstrp) - C.U. Water Maint.
2606 Maumee - "
1917 Phenie - "
632 Russell - "
909 St. Marys - "
5712 Sandra Lee - NIPSCO
Shadybrook & Raymond (prkstrp) - C.U. Water Maint
1511 Sherman - NIPSCO
1418 Springbrook - "
5820 Wilkie (prkstrp) - C.U. Water Maint
135 E. Berry - NIPSCO
2519 Sherman - "
432 E. Wildwood - "
1700 Reidmiller - "
Bohnke & Alcorn - "
3939 S. Calhoun - "

6. Received a request from General Telephone Co.,Don Rehling, 525 Tecumseh, for permission to barricade the north curb lane of New Haven Avenue 30' west of Fleetwood on Wednesday, June 6, 1979 thru Friday, June 8, 1979 from 9:30 a.m. thru 4:30 p.m.
PURPOSE: Emergency repair of sinking manhole castings.

Approved and permit issued.

7. Received a request from Robert Lyons, 946 E. Berry, for permission to barricade the 900 E. Liberty and 1000 E. Liberty between Harmar and Coombs on Saturday, June 9, 1979 from 5:00 p.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

8. Received a request from New Glenwood Neighborhood Association, 3127 Delray, for permission to hold a parade on Saturday, June 9, 1979 from 1:00 p.m. till 2:30 p.m. Route to be traveled: Lane Jr. High to Vance, east to Rockwood north on Rockwood to Eketer, west on Eketer to Delray, south on Delray to Vance and back to Lane Jr. High. Parade participants: 50 persons, 10 animals (cats) and bicycles.
PURPOSE: Annual June Days for kids.

Approved and permit issued.

9. Received a request from Frank Brisco, (Joe Spinella) 130 E. Wayne, for permission to barricade the second lane south of the north property line of Washington Blvd. from Calhoun to Clinton on Monday, June 11, 1979 from 7:00 a.m. till 4:00 p.m.
PURPOSE: Pouring a concrete wall at construction site north of Washington Boulevard.

Approved and permit issued.

10. Received a request from Conrail Construction Company, 231 W. Baker, for permission to barricade Fourth Street at R. R. crossing, west of Clinton on June 11, 1979 thru June 16, 1979 from 7:00 a.m. till 9:00 p.m.
PURPOSE: Repair of R. R. Crossing.

Approved and permit issued.

11. Received a request from Tom Patton, 919 Thieme Drive, for permmission to barricade Thieme Drive between Wayne and Washington on Friday, June 15, 1979 from 7:00 p.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

12. RELEASE OF PUBLIC UTILITY EASEMENT

Approved.

The Fort Wayne Board of Public Works hereby releases the following described portions of dedicated public utility easement:

On file in the Board of Public Works.

The North 150 feet, the East 25 feet of the South 150 feet, and the West 11 feet of the South 150 feet of the vacated King Street between the South right-of-way line of Wayne Street to the West right-of-way line of Washington Boulevard.

The WEst 150 feet of the vacat ed 14 foot alley located between the East right-of-way line of Harmer Street and the West right-of-way line of Comparet Street.

13. Received recommendation of Street Engineer to release $10,000 to Hipskind Asphalt Corp. which has completed items on Resolution No. 5761-1977 - Southwood Park Sidewalks.

Approved.

Ordered City Controller to release payment to Hipskind Asphalt Corp. in the amount of $10,000.

14. Received a petition for the repair of curbs where needed on Oakdale Drive from South Wayne Avenue to Fairfield Avenue.

Approved.

Ordered Street Engineering Department to investigate and report.

Board Order No. 75-79.

15. Received 1979 Resurfacing Resolution No. 5840-79, final plans, specifications and estimate for improving by resurfacing and restoring pavement as designated on the following streets to be known as:

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors June 15 and 22, 1979.

Receive bids on Wednesday, June 27, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

1. Bolton Drive - from the south curb line of Hastings Road to a point 150 feet ± south of Stafford Drive.

2. Vance Avenue - from the west property line of Glencairn Drive to the west curb line of Devon Drive.

3. Vance Avenue - from the west curb line of Devon Drive to the west pavement line of Reed Road.

4. Bosworth Drive - from the north property line of Stafford Drive to the south property line of Carew Street.

5. Kenwood Avenue -from the east property line of Beacon Street to the west property line of Carew Street.

6. Glenwood Avenue - from the west property line of Carew Street to the east property line of Rolston Street.

7. Alabama Avenue - from the south curb line of State Blvd. tp the north curb line of Forest Avenue.

8. Forest Valley Drive - from the south property line of Forestwood Drive to a point 165 feet north of Forest View Drive.

9. Forest Valley Drive - from a point 75 feet ± south of Blairwood Drive to a point 215 feet north of Forest Downs Drive.

10. Forest Downs Drive - from the southwest property line of Forest Valley Drive to the northwest curbe line of Forest Valley Drive.

11. Lake Forest Drive - from the south curb line of Forest Glen Court to the north property line of Lake Valley Court.

with hot asphalt binder (as per design mix formula) with hot asphalt top surface (as per design mix formula)

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

16. Received Contract, Guaranty and Liability Bonds of Ground Services, Inc. in the amount of $173,362.50 prepared by the Water Pollution Control Engineering Department signed by United States Fidelity & Guaranty for Sewer Resolution No. 304- 78 for Covington - Ardmore Sanitary Sewer.

Approved.

Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

17. Received partial payment estimate No. 1 of Moellering Construction Co., Inc. in the amount of $80,512.53 approved by the Street Engineering Department for Resolution No. 5819-78 - Ewing Street and Runnion Avenue Resurfacing.

Approved and ordered paid from 1979 Encumbered Resurfacing Funds.

18. Received Agreement for Sewer Extension between Macke Development Corp. and the City of Fort Wayne, Indiana, for the construction of a sanitary sewer described as PINE VALLEY COUNTRY CLUB - 12th Addition.

Approved.

Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

19. Received Special Sewer Permit for Affordable Homes by John Pelkington, Inc. prepared and approved by the Water Pollution Control Engineering Department and Performance Bond of Porter Construction Comoany to construct a sanitary sewer to serve Lots 56 and 59 Seneca Hills Section II Amended.

Approved and Special Sewer Permit issued.

20. Received Special Sewer Permit for L. W. Dailey, Inc. prepared and approved by the Water Pollution Control Engineering Department for the construction of Medical Park Drive Drainage Culvert. 25% Maintenance Bond will be required when contractor files Completion Affidavit.

Approved and Special Sewer Permit issued.

21. Received invoice of T - G Excavating, Inc. in the amount of $8,290.41 approved by the Water Engineering Department covering water main repair under R. R. on Lower Huntington Road -Emergency Res. 67-103-18.

Approved and ordered City Utilities to pay invoice from the Water Utility Fund.

22. Received Agreement to Purchase Real Estate by Kim L. Wallace from the City of Fort Wayne, Indiana, through its Board of Public Works described as follows:
*N 1/2 Lot 23 Hanna's Part., Plat B to City of Fort Wayne, Allen County, Indiana.
** N 1/2 Lot 25 Hanna's Part., Plat B, to City of Fort Wayne, Allen County, Indiana.

* - 1155 Harmar Street
**- 1144 Division Street.

Approved.

Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

23. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Improvement Resolution No. 5798-78 - Tillman Road - South Anthony Boulevard Area.

VOID THIS ENTRY - D U P L I C A T E
See: 67-179-7

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment June 15 and 22, 1979.

Hearing on Confirmation of Assessment Roll Thursday, July 12, 1979 at 3:30 p.m.

Notices to be mailed June 22, 1979.

24. Received a request from E. Central Neighborhood Association, Bonnie Andrews, 1205 E. Lewis Street, for permission to hold a parade on Saturday, June 16, 1979 from 10:00 a.m. till 11:00 a.m. Parade participants: approximately 50 persons and 15 vehicles. Parade will start at Lewis at Chute and go throughout the neighborhood.
PURPOSE: Clean-up campaign for neighborhood.

Approved and permit issued.

25. Ronald Taylor - House of Pines - 3426 Lower Huntington Road, requested permission to barricade temporarily parking trucks on the downtown streets on Saturday, June 16, 1979 thru Tuesday, July 3, 1979 from 10:00 p.m. till 5:00 a.m.
PURPOSE: Reinstall brackets on downtown poles, hang 40 flags for 4th of July and hang 60 Three Rivers Festival signs.

Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Ethel W. LaMar

Mary J. Wiott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, June 13, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meeting held on Monday, June 11, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

   910 Cottage ----------Carrington & Assoc.
   305 E. Lexington Ct. ---Jonathan Ash
   3827 Monument ----------T.J. Lebrato, Inc.

4. Received driveway applications: — Approved and permits issued.

   7602 - 7636 Bradbury --- Dailey Asphalt
   6208 Highgate Pl. ------ Windsor Bldrs.
   3320 E. State ---------- Brooks Const.

5. RECEIVE BIDS: — Referred to the Street Engineering Department for tabulation and report.

   Street Improvement Resolution No. 5831-79 for improving Hobson Road and Lake Avenue Intersection: — Award contract on Monday, June 18, 1979 at 9:00 a.m.

	Pavement Marking:	Road Items:	Signal Items:	TOTAL:
L. W. DAILEY, INC. ---	$13,200.00	$127,810.90	$44,062.50	---- $185,073.40
HIPSKIND ASPHALT CORP.---	9,265.00	125,876.75	44,000.00	179,141.75
RIETH-RILEY CONST. CO.---	15,261.86	116,131.50	43,928.20	175,321.56
SPEARS - DEHNER, INC. ---	10,270.00	201,046.40	45,688.50	257,004.90

6.	Received a request from Mrs. Hetrick, 6233 Donna Drive, for permission to barricade Donna Avenue from Interlaken to Maywood on Friday, June 15, 1979 from 5:00 p.m. till 10:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
7.	Received a request from John Phenicie, 447 West Lennox, for permission to barricade Lennox from Fairfield to Buell Drive on Sunday, June 24, 1979 from 3:00 p.m. till 8:30 p.m. PURPOSE: Block party.	Approved and permit issued.
8.	Received a request from Briscoe (Joe Spinella) 130 East Wayne, for permission to barricade the west lane of Clinton Street (One lane) from first alley south of Washington to first alley north of Washington on Thursday, June 14, 1979 from 8:30 a.m. till 10:30 a.m. PURPOSE: Moving steel to job site for Peoples Bank - I & M Electric Project.	Approved and permit issued.
9.	Received a request from Martin, Inc., 4315 Meyer Road, for permission to barricade the south side one lane on Baker Street by Meadow Gold on Friday, June 15, 1979 through Monday, June 18, 1979 from 8:00 a.m. till 4:30 p.m. PURPOSE: Putting machines in Meadow Gold.	Approved and permit issued.
10.	Permission was granted to Franklin Davis, 1622 Fletcher, to use the following property, Lot 66,Abbott's Add. - 2318 - 20 Perth Street for the period beginning on June 8, 1979 and ending on the 31st of October, 1979 for GARDENING purposes ONLY.	Approved and permit issued.
11.	Received partial payment estimate #4 of Schmidt Electric, Inc. in the amount of $3,955.41 approved by the Street Lighting Engineering Department for West Central Phase III Street Lighting Resolution No. 133-78.	Approved and ordered paid by Community Development and Planning.
12.	Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation in the amount of $53,375.00 prepared by the Street Engineering Department covered by Improvement Resolution No. 5832-79 - area of Jones Street, College Street and Penn-Central Railroad.	Approved. Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.
13.	Received Contract, Guaranty and Liability Bonds of Summit City Wrecking, Inc. in the amount of $9,289.80 prepared by the Street Engineering Department covered by Resolution No. 5834-79 - Demolition at 1101, 1105 and 1123 Wells Street and site clearance.	Approved. Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

14. Received Declaratory Resolution No. 67-189-14 for the Board of Public Works of the City of Fort Wayne, Indiana, for the acquisition, construction, financing, operation and leasing of an off-street parking facility located within the area in downtown Fort Wayne bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated Block III.

Approved and adopted. A true copy is incorporated herein.

Advertise Notice of Adoption of Resolution on June 15 and June 22, 1979.

Hearing on Confirmation Thursday, July 12, 1979 at 3:30 p.m.

15. Received Street Improvement Resolution No. 5841-1979, final plans, specifications and estimate prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated on the following streets to be known as: (CITY PAID).

1. Masterson Avenue - from the west curb line of Calhoun Street to the east curb line of Prince Street.

2. Suttenfield Street - from the west curb line of Lafayette Street to the east curb line of Clinton Street.

3. Lumbard Street - from the south property line of Reynolds Street to the north curb line of New Haven Avenue.

4. Lumbard Street - from the north curb line of Pittsburg Street to the south pavement of Molitor Street.

5. Lillie Street - from the south curb line of Creighton Avenue to the north curb line of Pontiac Street.

6. Pontiac Street - from the west curb line of Calhoun Street to the east curb line of Fairfield Avenue.

with hot asphalt binder (as per design mix formula)
with hot asphalt top surface (as per design mix formula)

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors June 15 and June 22, 1979.

Receive bids on Wednesday, June 27, 1979 at 9:00 a.m.

Order Street Engineering Department to prepare plans.

16. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Ground Services, Inc. with Guaranty Bond in the amount of $25,625.00 signed by United States Fidelity and Guaranty for Poinsette - Goshen Road Sanitary Sewer.

Approved and ordered acceptance letter written.

17. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of T - G Excavating, Inc. with IRREVOCABLE LETTER OF CREDIT NO. LC-538 dated June 6, 1979 in the amount of $41,208.00 for Crown Colony, Section "K" Sanitary Sewer.

Approved and ordered acceptance letter written.

18. Received Amendment to Water Contract 7812 from the Water Engineer decreasing amount which Utility pays contributor for oversizing it to $5,553.75 for TANBARK ADD., SEC. I.

Approved.

19.	Received Amendment to Water Contract 7813 from Water Engineer decreasing amount which Utility pays contributor for oversizing it to $17,520.00 for TANBARK ADD., SECTION II.	Approved.
20.	Received Water Contract No. 7901 between Northeastern Enterprises, Inc. and Fort Wayne Water Utility to construct water main system to serve Newfield Addition, Section II.	Approved and ordered sent to Water Engineering Department for handling.
21.	Received a request from Shoda Enterprises, 2014 Colony Drive, for permission to hold a block party on Thursday, June 14, 1979 from 12:00 Noon till 6:00 p.m. Location of barricade: 5328 So. Webster (alley) between Fairfax to Belmont. PURPOSE: Repair sewer.	Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry R. Wiehenberg

Edward J. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, June 14, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LAMAR, M. G SCOTT
Ursula Miller

1. HEARING ON CONFIRMATION:

Sidewalk Improvement Resolution No. 5838-79 for the construction of sidewalk commencing on the east side of Osage Street from alley north of Boone Street to the south property line of Burgess and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north.

Continued to Thursday, June 28, 1979 at 3:30 p.m.

Time up to receive remonstrance Monday, June 25, 1979 at 4:30 p.m.

2. Received a request from Norfolk & Western Railroad (Ralph Fluty), 811 Nelson Road, for permission to barricade Lumbard at R. R. tracks between McDonald & Molitor on Monday and Tuesday, June 18 and 19, 1979 from 7:30 a.m. till 4:00 p.m.
PURPOSE: Raise railroad tracks to grade.

Approved and permit issued.

3. Received a request from East Wayne Street Center, 801 E. Wayne Street, for permission to barricade Francis Street between Wayne and Berry Streets on Wednesday, June 20, 1979 from 1:30 p.m. till 3:30 p.m.
PURPOSE: Special recreation event.

Approved and permit issued.

4. Received a request from Norfolk & Western Railroad (Ralph Fluty), 811 Nelson Road, for permission to barricade inter Street at R. R. tracks west of Anthony on Friday, June 15, 1979 from 7:30 a.m. till 4:00 p.m.
PURPOSE: Raise tracks to meet street.

Approved and permit issued.

5. Received a request from Norfolk & Western Railroad (Bill Tesso), P.O. Box 1215, for permission to barrricade North lane of Lower Huntington Road at R. R. tracks between Ideal and Bradbury on Friday, June 15, 1979 from 9:00 a.m. till 3:00 p.m.
PURPOSE: Repair grade on tracks (damaged from water line break).

Approved and permit issued.

6. Received a reqeust from Hartman Construction Company (John Hartman), 10310 DeBold Road, for permission to barricade WEst State - 400' East of Lindwood Avenue (one lane at a time) from 9:00 a.m. till 3:00 p.m.
PURPOSE: Install water main across State Street.

Approved and permit issued.

7. Received a request from L. I. Griffin (Blake Prentiss) 4920 S. Monroe, for permission to barricade East curb lane of the 600 block of So. Harrison from the first alley North of Main and South 95 feet (in front of 619 - 621 - 623 Harrison Street) on Monday, June 18, 1979 thru Monday, July 16, 1979 from 8:00 a.m. till 5:00 p.m.
PURPOSE: Demolition of 619 - 621 - 623 Harrison buildings.

Approved and permit issued.

8. Received a request from Kathleen Brita, 4306 Drury Lane, for permission to barricade Drury Lane from Maxine to Westover on Friday, June 22, 1979 from 5:00 p.m. till 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

Meeting adjourned at 3:40 p.m.

Henry L. Whitesides

Edward W. Sadler

Mary A. Alexander

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, June 18, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEHRENBERG, E. H. LAMAR,
M. G SCOTT
Ursula Miller

Received Minutes of Meetings held on Wednesday, June 13, 1979 at 9 a.m. and Thursday, June 14, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permits issued.

6208 Highgate Place -------- Windsor Bldrs.
4226 Lafayette ------------- A.A. Lehman & Sons

4. Received driveway applications: — Approved and permits issued.

3827 Monument Dr. ---------- T.J. Lebrato, Inc.
2140 Springfield ----------- Ned Keener Const.

5. Received street cut applications: — Approved and permits issued.

2604 Busche Dr. (prkstrp) ---------- C.U. Water Maint.
3900 Cherrystone Lane (prkstrp) --- "
725 Columbia --- NIPSCO
2421 Curdes --- "
2212 Eckart (prkstrp) --- C.U. Water Maint.
6125 Goodfellow (prkstrp) --- "
6202 Goodfellow (prkstrp) --- "
619 S. Harrison (alley) --- NIPSCO
5308 Hoagland --- "
Hobson Rd. - No. of Eastwood --- C.U. Water Maint.
5830 Industrial Rd. --- Quick Action Sewer
2421 Knollwood Ct. (prkstrp) --- C.U. Water Maint.
Lake Ave. E. & W. of Intersec --- "
of Hobson Rd. NIPSCO
5623 Larchwood Run --- "
Lindley & Taylor --- C.U. Water Maint.
725 Poplar (prkstrp) --- "
2314 Rehm Dr. (prkstrp) --- "
1702 E. Rudisill on Lillie --- NIPSCO
Russell /1020 Goshen --- "
2519 Sherman ---
2300 Sherman (prkstrp) --- Lauer Const. Co.
917 Ventura Lane (prkstrp) --- C.U. Water Maint.
921 Ventura Lane (prkstrp) --- "
5328 Webster (alley) --- Shoda Enterprises
Wildrose /3901 Eastway --- NIPSCO

432 E. Wildwood	---	NIPSCO
525 Wagner	---	"
6030 Neighbor Dr.	---	"
1501 Fletcher	---	"
Hanna & Taber	---	"
444 W. Creighton	---	"
N/W cor. Hanna & Creighton	---	"
412 W. Masterson	---	"
1205 High	---	"
3221 S. Harrison	---	"
215 W. Creighton	---	"
201 E. Branning (alley)	---	"
929 W. Packard	---	"
2408 Gay	---	"
530 Kinsmoor	---	"
1210 Taylor	---	"
2710 Evans	---	"
1812 Fairfield	---	"
2519 Sherman	---	"
2113 S. Barr (prkstrp)	---	"

6. Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5831-79 - Hobson Road - Lake Avenue Intersection.

AWARD CONTRACT to Rieth-Riley Const. Co., at and for their bid in the amount of $175,321.56 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract and necessary documents.

7. Received a request from Dailey Asphalt (Bill Fishering) 1034 Oakland, for permission to barricade one lane west on Spy Run at the Old Fort on Monday, June 18, 1979 thru Friday, June 22, 1979 from 7:00 a.m. till 5:00 p.m.
PURPOSE: New sidewalks.

Approved and permit issued.

8. Received a request James Lauer, 1142 W. Foster Parkway, for permission to barricade West Foster Parkway from Old Mill Road to Kimmel on Saturday, July 21, 1979 from 12:00 noon to 10:00 p.m.
PURPOSE: Block Party.

Approved and permit issued.

9. Received a request from Lake Forest Association, 2630 Forest Valley, for permission to hold a parade on Wednesday, July 4, 1979 from 9:30 a.m. till 11:30 a.m. Route to be traveled: Lake Forest at Maysville Road to Monarch to Forest Downs to Forest Valley to Forest Woods - approximately 200 persons with bicycles.
PURPOSE: Bicycle parade for kids.

Approved and permit issued.

10. Received quotations from the Purchasing Agent for the proposed purchase of valve top sections for Water Maintenance & Service Department:

V.R. MYERS PUMP ----------$2,530.50
SIDENER SUPPLY OF IND. ----$2,871.00
WAYNE PIPE & SUPPLY -------$3,376.50

The bid of V.R. Myers Pump was accepted under Purchase Order No. 001148 in the amount of $2,530.50

Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.

11. Received invoice #2 of Wayne Asphalt & Construction Company, Inc. in the amount of $37,180.95 approved by the Street Engineering Department covering Resurfacing Resolution No. 5820-1978 - Broadway Resurfacing (Creighton to Berry).	Approved and ordered paid from Resurfacing Account #28-881-265.
12. Received invoice #2 of Rieth-Riley Construction Comoany, Inc. in the amount of $26,484.33 approved by the Street Engineering Department covering Resolution No. 5814-1978 - LaRez Phase I.	Approved and ordered paid by Community Development and Planning.
13. Received invoice #4 of Hipskind Asphalt Corporation in the amount of $3,227.00 approved by the Street Engineering Department covering Resolution No. 5801-78 - East Central Phase III.	Approved and ordered paid by Community Development and Planning.
14. Received invoice of Hipskind Asphalt Corporation in the amount of $9,163.49 approved by the Street Engineering Department covering Improvement Resolution No. 5802-78 - Nebraska Phase III. (FINAL).	Approved and ordered paid by Community Development and Planning.
15. Received invoice of Rieth-Riley Construction Company, Inc. in the amount of $101,482.47 approved by the Street Engineering Department cocering work performed on Improvement Resolution NO. 5821-78 - Broadway Resurfacing.	Approved and ordered paid from encumbered funds in Account #03620.
16. Received partial payment estimate No. 1 of Land Excavating, Inc. in the amount of $39,073.23 approved by the Water Pollution Control Engineering Department covering Sewer Resolution No. 305-78 - Tillman Park - Southtown Mall Lift Station Elimination Sanitary Sewer.	Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.
17. Received Agreement to Purchase Real Estate by Horace J. Lee from the City of Fort Wayne through its Board of Public Works properties located at 1516 and 1510 Fletcher Avenue described as follows: S 13 1/3' Lot 48, Fletcher's Add. and N 13 1/3' Lot 49 Fletcher's Add. to the City of Fort Wayne (1516 Fletcher Avenue) and Lot 45, Fletcher' Add. to the City of Fort Wayne (known as 1510 Fletcher).	Approved. Ordered sent to the Common Council on Tuesday, June 26, 1979 at 8:00 p.m.
18. Received Special Street Permit prepared by the Street Engineering Department for A. D. Construction, Inc. to construct Dichotomy Court located in Shoaff Park River Estates, Section C.	Approved and Special Street Permit issued.

19.	Received invoice No. 71-01-310-01-0-90 of Howard Needles Tammen & Bergendoff (H. B. Steeg Div.) in the amount of $296.75 for general engineering for Water Quality Control Project Division I - Water Pollution Control Plant Additions - Federal Project C-180538-01.	Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.
20.	Received inspection report from the Water Engineering Department and Completion Affidavit of Bercot, Inc. with Guaranty Bond in the amount of $2,357.00 signed by The Western Casualty and Surety Company for Water Contract No. 78-XP-1 - Ardmore - Engle Road Area.	Approved and ordered acceptance letter written.
21.	Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Landmark Homes with Letter of Credit No. LC-515 for a period of 207 days granting extension (irrevocable) and shall expire on June 15, 1980 for MARINER'S RIDGE, SECTION III Sanitary Sewer.	Approved. Ordered acceptance letter written.
22.	Received inspection report from the Water Enginering Department and Completion Affidavit of Gene Keller & Sons, Inc. with Guaranty Bond in the amount of $10,400 signed by Fidelity and Deposit Company of Maryland for Tamera Place Addition - Water Contract No. 7809.	Approved. Ordered acceptance letter written.
23.	Received inspection report from Water Engineering Department and Completion Affidavit of John Hartman Construction Co. with Guaranty Bond in the amount of $4,991.75 signed by State Automobile Mutual Insurance Company for Crown Ridge, Section B - Water Contract No. 7820-A.	Approved. Ordered acceptance letter written.
24.	Received Water Contract No. 7903 prepared and approved by the Water Engineering Department between Fox Contractors Corporation and the City of Fort Wayne, Indiana, in the amount of $44,630.51 signed by Fidelity and Deposit Company of Maryland for McArthur Drive - Baer Road Feeder Main.	Approved. Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.
25.	Received Special Sewer Permit for Amos D. Delagrange prepared by the Water Pollution Control Engineering Department to construct a storm and sanitary sewer known as Shoaff Park River Estates., Section "C". Maintenance Bond will be submitted prior to final acceptance. Amos D. Delagrange is to perform the construction work.	Approved and Special Sewer Permit issued. Board Order No. 82-1979.

26. Received Special Sewer Permit for Graber Realtors prepared by the Water Pollution Control Engineering Department and Maintenance Bond of John Hartman Construction to construct a sanitary sewer known as Graber Development North of Woodmont.
John Hartman Construction is to perform the construction work.

Approved and Special Sewer Permit issued.

Board Order No. 83-1979.

27. Received a request from General Telephone Co., 525 Tecumseh, for permission to barricade Hobson Road intersection (north curb lane only) northwest bound lane on Lake Avenue on Thursday, June 21, 1979 thru Sunday, July 1, 1979 from 8:00 a.m. till 4:00 p.m.
PURPOSE: Road widening (placing new conduit).

Approved and permit issued.

28. Received a request from Frank Briscoe (Joe Spinnella) 130 E. Wayne, for permission to barricade the second lane south of the north property line of Washington Boulevard from Calhoun to Clinton on Friday, June 22, 1979 or Monday, June 25, 1979 weather permitting from 7:00 a.m. till 4:00 p.m.
PURPOSE: Pouring a concrete wall at construction site north of Washington Boulevard.

Approved and permit issued.

29. Received a request form North American Van Lines (Bireley) P.O. Box 988 for permission to cover three meters to the extreme west side of Lincoln Life and all of the meters that are immediately in front of stairway on Friday June 22, 1979 to Monday, June 25, 1979 from 6:00 p.m. to 6:00 a.m.
PURPOSE: Moving entire 4th and 5th floors of Lincoln Life to Magnavox.

Approved and permit issued.

Meeting adjourned at 10:55 a.m.

Henry P. Wehrenberg

Ethel H. LaMott

Mary L. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, June 20, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LaMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meeting held on Monday, June 18, 1979 at 9:00 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications:

Approved and permits issued.

3702 Hiawatha Blvd. -------- J. E. Brewer
3506 N. Clinton ---------- Carrington & Assoc.
612 Curdes ---------- Olivent Lewis
4181 Hessen Cassel --------- Kirk Scheeler
2133 Taylor ---------- Henry Gains Const.
2139 Taylor ---------- Henry Gains Const.

4. Received driveway applications:

Approved and permits issued.

5623 Larchwood Run --------- Frontier Homes
4560 Speedway Dr. ---------- Hipskind ASphalt Corp.
4752 Trier Rd. ---------- Gene Kunberger
4211 Vance Ave. ---------- Daniel Hollenbeck

5. RECEIVE BIDS:

Referred to the Street Engineering Department for tabulation and report.

Improvement Resolution No. 5833-1979 for improving Main Street from Maiden Lane east to Calhoun Street consisting of widening and replacement of existing street with new concrete pavement, curbs, sidewalk, street lighting, storm sewers and traffic signalization:

Award contract on Monday, June 25, 1979 at 9:00 a.m.

	STREET:	LIGHTING:	SIGNAL:	STRIPING:	TOTAL:	ALTERNATE:
L. W. DAILEY, INC.-----	$492,190.90	$15,844.00	$75,133.75	$12,623.00	$596,400.65	$66,800.00
MOELLERING CONST. CO.	508,780.00	17,046.75	79,546.75	11,837.00	617,210.50	136,500.00
SPEARS - DEHNER, INC.	629,134.40	16,297.25	76,092.75	12,718.00	734,242.40	82,500.00

6. Received Special Sewer Permit for Baer Field Park, Inc. prepared and approved by the Water Pollution Control Engineer and Performance Bond of Bercot, Inc. for the construction of sanitary sewer for Baer Field Industrial Park.
The construction work will be performed by Bercot, Inc.

Approved and Special Sewer Permit issued.

Board Order No. 15-1979.

7. Received Contract, Guaranty and Liability Bonds of L. W. Dailey, Inc. in the amount of $323,136.90 prepared by the Water Pollution Control Engineering Department signed by St.Paul Fire & Marine Insurance Company for Sewer Resolution No. 878-1979 - DIVISION I - Ludwig Park Addition Sanitary Sewer.	Approved. Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.
8. Received Contract, Guaranty and Liability Bonds of T & G Excavating, Inc. in the amount of $363,123.05 prepared by the Water Pollution Control Engineering Department signed by Fidelity and Deposit Company of Maryland for Sewer Resolution No. 878-1979 - DIVISION II - Ludwig Park Addition Sanitary Sewer.	Approved. Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.
9. Received Contract, Guaranty and Liability Bonds of Hipskind Concrete Corporation in the amount of $115,227.70 prepared by the Street Engineering Department signed by Trinity Universal Insurance Company for Improvement Resolution No. 5829-79 - PART I: "Oxford Neighborhood, Phase IV" and PART II: "LaRez Neighborhood, Phase II".	Approved. Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.
10. Received Special Street Permit prepared and approved by the Street Engineering Department for Michael W. Thomas to construct Villa Park Court in Franke Park Villas, Section I.	Approved and Special Street Permit issued.
11. Received Special Street Permit prepared and approved by the Street Engineering Department for Michael W. Thomas to construct Villa Part Court in Franke Park Villas, Section II.	Approved and Special Street Permit issued.
12. Received invoice of Carrington & Associates in the amount of $639.73 approved by the Street Engineering Department covering Improvement Resolution No. 5808-79 for West Central, Phase III. (RETAINAGE).	Approved and ordered paid by Community Development and Planning.
13. Received plans, specifications and bid documents for Water Main Contract No. 79-XP-3 - Main Street. (CITY PAID).	Approved. Advertise Notice to Contractors June 22 and 29, 1979. Receive bids on Thursday, July 5, 1979 at 9 a.m.
14. Received Agreement between the City of Fort Wayne, Indiana, and the Fort Wayne Redevelopment Commission providing for Board of Works to manage the construction, financing,leasing and operation of Civic Center Parking Garage.	Approved. A true copy is incorporated herein.

15. Received Agreement between the City of Fort Wayne, Indiana, and the Fort Wayne Redevelopment Commission providing for reimbursement of $262,000 to Redevelopment Commission by the City of Fort Wayne, Indiana, for Civic Center Parking Garage.

Approved.

A true copy is incorporated herein.

16. Received a request from Indian Village Neighborhood Association (Kathy Johnson) 4108 Hiawatha Blvd., for permission to hold a parade on Wednesday, July 4, 1979 from 11:30 a.m. to 12:30 a.m. Approximate number of participants: 75 and one fire engine. Route to be traveled: Corner of Nokomis to Indian Village Blvd. to Hiawatha to Ojibway to Wenonah to Indian Village Parking Lot.
PURPOSE: Association parade.

Approved and permit issued.

17. Received a request from Bercot, Inc. (Paul Bercot) 3838 Mobile Ave., for permission to barricade on Ardmore 90 feet North of Lower Huntington Road - close one lane only, running east to west. Alternate lane closures - east lane first, west lane second, running across Ardmore on Friday, June 22, 1979 from 8:00 a.m. till 3:00 p.m.
PURPOSE: Install sanitary sewer.

Approved and permit issued.

18. Received a request from Howard Camera Shop, Rod Howard, 112 W. Wayne Street, for permission to bag two meters at 112 and 114 W. Wayne on Tuesday, June 26, 1979 and Wednesday, June 27, 1979 from 8:00 a.m. to 5:00 p.m.
PURPOSE: Construction work.

Approved and permit issued.

19. SEWER TAP AGREEMENT REIMBURSEMENT:

Permission is hereby granted to A. H. Heine Co. to tap a sewer to serve 5525 Industrial Road. Said permission is conditioned upon the payment of the sum of $3,047.07 to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. S-190-78, dated October 2, 1978, who is party of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with WATER/SEWER SERVICE PERMIT ROOM.

Approved.

Ordered the City Utilities to remit the sum of $3,047.07 to CLARENCE R. HEWES which sum was deposited with the City by the applicant to be distributed as set out in the Special Sewer Tap Agreement.

Meeting adjourned at 10:50 a.m.

Henry J. Schneider

Edward N. LaMar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, June 25, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

2332 N. Clinton ---------- New Exteriors, Inc.
2027 St. Louis ---------- Lebrato Bros., Inc.

4. Received driveway applications: — Approved and permits issued.

2925 S. Antohony ---------- ACC Concrete
3921 Meda Pass ---------- Houser Home Bldg.

5. Received street cut applications: — Approved and permits issued.

519 Archer ----------NIPSCO
Beacon & Forest (prkstrp)--C.U. Maint
7520 Bluffton (prkstrp) -- "
3505 Chestnut (prkstrp) -- "
Cochrane E/Tecumseh -- "
Coldwater & Noble -- "
2527 Crescent --NIPSCO
5025 Devonshire -- "
4119 - 4121 Harris Rd. --Frontier Homes, Inc.
600 Blk. S. Harrison (2) --C.U. Water Maint.
5316 Illinois --H. McComb & Sons
Lake Ave. E/W of Hobson --NIPSCO
2815 & 2825 Linden -- "
1201 Maumee --C.U. Water Maint.
N/lane of New Haven Gen. Tel.
80' W/Fleetwood -- "
807 Oliver --C.U. Water Maint.
2533 Princeton & 2408 --NIPSCO
801 Prospect (prkstrp) --C.U. Water Maint.
1829 Purdue --NIPSCO
Along Ross, Superior and alley W/Ross
and S/Michaels ----------NIPSCO
1225 Shoreview (prkstrp) ---C.U. Water Maint.
1311 Shoreview (prkstrp) --- "
Along Villa Pk. Ct. E/Sherman ---NIPSCO
139 E. Wallace (prktrp) ---C.U. Water Maint.
925 E. Wayne (prkstrp) --- "
2122 Weisser Pk. (prkstrp) --- "

5841 Monarch (prkstrp)	-----	NIPSCO
1709 California (prkstrp)	---	"
1212 Orchard	---	"
2426 Gay	---	"
2925 Weisser Pk	---	"
1700 Liberty	---	"
339 Brackenridge	---	"
S/ Hanna on Creighton	---	"
1015 Sherman	---	"
806 E. Berry	--	C.U. Water Maint
2422 Central	--	"
220 E. Douglas	--	"
along the 2900 Blk. Forest	--	NIPSCO
909 Tillman / John (2)	--	T & G Excavating
1629 Oakland (prkstrp)	--	C.U. Water Maint.
Reed & Hurd	--	"
Reed & Creighton	--	"
2509 St. Louis (prkstrp)	--	"
2707 St. Louis (prkstrp)	--	"
2708 St. Louis (prkstrp)	--	"
Swinney E/Thompson	--	"
720 E. Washington (prkstrp)	--	"
127 W. Wayne	--	"
3814 S. Webster (prkstrp)	--	NIPSCO.
2047 Phenie	--	"
3328 Fairfield	--	"
2200 Randalia	--	"
1213 E. Lewis	--	"
Catherine & Rockhill	--	"
461 Weibke	--	"
430 W. Packard	--	"

6. Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5833-1979 for improving Main Street from Maiden Lane east to Calhoun Street consisting of widening and replacement of existing street with new concrete pavement, curbs, sidewalk, street lighting, storm sewers and traffic signalization.

Award contract to L. W. Dailey, Inc. at and for their bid in the amount of $663,204.65 subject to councilmanic approval and approval by Redevelopment Commission.

7. Received "Certificate of Use of Assumed Name" from Citizens Cable of Fort Wayne, Inc. which will do business as Fort Wayne Cablevision.

Approved.

8. Received a request from Tama, Inc. (Thomas Miller) 3615 N. Clinton, for permission to barricade sidewalk around Salvation Army Building on Washington and Fairfield at all times on Monday, June 25, 1979 thru Wednesday, August 1, 1979.
PURPOSE: Scaffolding for work on Salvation Army Building.

Approved and permit issued.

9. Received a request from Norfolk & Western (M.E. Hapner) 811 Nelson Road for permission to barricade Wabash Street (right at tracks on both sides - between Wayne Trace and Winch) on Monday and Tuesday, June 25 and June 26, 1979 from 7:30 a.m. till 4:30 p.m.
PURPOSE: Repair tracks.

Approved and permit issued.

10. Received request from Beacon Heights Church of the Brethern, Inc. for use of Curdes Avenue east of Beacon Street.

Ordered proposed License Agreement published one time in two daily newspapers at least one week prior to hearing. Beacon Heights Church of the Brethren, Inc. to publish.

Public Hearing to be held in Board of Public Works Hearing Room on Thursday, July 26, 1979 at 3:30 p.m.

11. Received quotations from the Purchasing Agent for the proposed purchase of one pedestal gas pump with dual hose for the City Utilities Garage:

PARR-TEE COMPANY ---------- $1,970.00

MURRAY EQUIPMENT CO. ------ $2,873.00

GASOLINE EQUIPMENT -------- $2,881.00

Accepted quotation of Murray Equipment in the amount of $2,873.00 under Purchase Order No. 001168.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

12. Received Change Order No. 1 of T & F Construction Corporation in the amount of $236.30 prepared by the Street Lighting Engineering Department covering work on Street Lighting Resolution No. 134-78 Victoria Park Addition.

Approved.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

13. Received Change Order No. 1 of T - G Excavating, Inc. in the amount of $3,538.73 prepared by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 878-79 - Ludwig Park Sanitary Sewer (Division II).

Approved.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

14. Received quotation from the Purchasing Agent for the Lease of CRT, Printer and Adapter Terminal for City Utilities Data Processing Department:

I.B.M. CORPORATION ------ $5,808.00

Accepted bid of I.B.M. Corp. in the amount of $5,808.00 under Purchase Order No. 001166.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

15. Received Contract, Guaranty and Liability Bonds of Spears Dehner, Inc. in the amount of $998,674.51 prepared by the Street Engineering Department signed by United States Fidelity & Guaranty for Improvement Resoluton No. 5835-79 - improve Fernhill Avenue from Wells Street east to Northrop Avenue.

Approved.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

16. Received petition for the installation of city water on Ludwig Road from Rodenbeck Drive to Sharon Drive.

Approved.

Ordered the Water Engineering Department to investigate and report.

Board Order No. 84-79 issued.

17.	Received Improvement Resolution No. 5842-79, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving curbs, sidewalk and drive approaches along Edgehill Avenue and Westbrook Drive and Jacobs Avenue, more specifically dientified as Lots 158 thru Lot 189 in Brookview Addition.	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners June 29 and July 6, 1979 Hearing on Confirmation Thursday, July 19, 1979 at 3:30 P.m. Mail notices on July 6, 1979.
18.	Pursuant to report form the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-offs as per list submitted: Water: $4,183.23 and Sewer: $3,302.89. (total $7,486.12).	Approved.
19.	Received a petition for the installation of ornamental Street Lighting of Shawnee Drive from Killea to Wildwood Avenue.	Approved. Ordered Street Lighting Engineering Department to investigate and report. Board Order 85-79 issued.
20.	Received Improvement Resolution for Streets No. 5843-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated onthe following streets: 1. Poinsette Drive - from the west curb line of Cherokee Road to the south curb line of State Boulevard. 2. West State Boulevard - from the west property line of Tyler Avenue to the railroad crossing approach of the Grand Rapids and Indiana Railroad. 3. Colwyn Lane - from the south curb line of Marston Drive to a point 222 feet southwest thereof. 4. Marston Drive - from the south curb line of Warrick Avenue to a point 45 feet south of the south property line of Lyell Court. 5. Andrew Street - from the north curb line of Huffman Street to the south curb line of State Boulevard. 6. Cherokee Road - from the north property line of Spring Street to the southeast property line of Fairhill Road. 7. Ridgewood Drive - from the west curb line of Parnell Avenue to the east curb line of Newport Avenue. 8. Red Haw Drive - from the northwest curb line of Clinton Street to a point 1,160 feet north thereof.	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Contractors June 29 and July 6, 1979. Receive bids on Wednesday, July 11, 1979 at 9:00 a.m. Ordered the Street Engineering Department to prepare bid documents.
21.	Received invoice of Norfolk and Western Railway Company in the amount of $780.13 prepared by the Water Engineering Department covering expenses in connection with repair of break - Lower Huntington Road at N & W Railroad in connection with Emergency Resolution No. 67-103-18 and Agreement with N & W Railroad.	Approved and ordered City Utilities to pay invoice from the Water Utility Fund.

22. Received Notification from Street Engineering Department that Continental Construction had not completed construction on the Contract for Resolution No. 5775-77 - East Central Phase II and had been notified by registered mail and did not respond. Carrington & Associates quoted $378.00 to complete this project.	Ordered purchase order to be issued to Carrington and Associates for $378.00 to be paid by Community Development and Planning.
23. Received invoice of Clyde E. Williams & Associates, Inc. in the amount of $320.02 approved by the Street Engineering Department for professional services in accordance with the November 6, 1978 Engineering Agreement and the January 18, 1979 letter of authorization regarding Lake Avenue (Services from 4-2-79 thru 5-26-79). ENVIRONMENTAL ASSESSMENT.	Approved and ordered paid from LRS Account #334.
24. Received invoice of Clyde E. Williams & Associates, Inc. in the amount of $753.22 approved by the Street Engineering Department for professional services in accordance with the November 6, 1978 Engineering Agreement and the January 18, 1979 letter of authorization regarding Bluffton Road (Services from 4-2-79 thru 5-26-79). ENVIRONMENTAL ASSESSMENT.	Approved and ordered paid from LRS Account #335.
25. Received invoice of Clyde E. Williams & Associates, Inc. in the amount of $379.49 approved by the Street Engineering Department for professional services in accordance with the November 6, 1978 Engineering Agreement and the January 18, 1979 letter of authorization regarding Crescent Avenue (Services from 4-2-79 thru 5-26-79). ENVIRONMENTAL ASSESSMENT.	Approved and ordered paid from LRS Account #317.
26. Received invoice of Clyde E. Williams & Associtates, Inc. in the amount of $1,649.45 approved by the Street Engineering Department for professional services in accordance with the November 6, 1978 Engineering Agreement and the January 18, 1979 letter of authorization regarding Rudisill Boulevard (Services from 4-2-79 thru 5-26-79). ENVIRONMENTAL ASSESSMENT.	Approved and ordered paid from LRS Account #318.
27. Received Invoice No. 5 of Schmidt Electric, Inc. in the amount of $3,642.48 approved by the Street Lighting Engineering Department covering work under Street Lighting Resolution No. 133-78 - WEST CENTRAL PHASE III.	Approved and ordered paid by Community Development and Planning.
28. Received invoice of Wayne Asphalt and Const. Company, Inc. in the amount of $18,127.30 approved by the Street Engineering Department covered by Resurfacing Resolution No. 5820-78 BROADWAY RESURFACING. Invoice is for retainage money on this project.	Approved and ordered paid under Purchase Order No. 03619 - MVH Funds.

#2

29. Received invoice of Dailey Asphalt Products Company in the amount of $44,199.21 approved by the Street Engineering Department covered by Street Resoluton No. 5816-78 - Resurfacing Pontiac Street and Creighton Avenue.	Approved and ordered paid from Resurfacing Revenue Account Funds.
30. Received invoice of Bercot, Inc. in the amount of $6,028.00 prepared by the Water Engineering Department covering Water Main Contract No. 78-XP-2 - LOWER HUNTINGTON ROAD.	Ordered City Utilities to pay the amount of $728.00 and retain the amount of $5,300.00 until topsoil and seeding is installed. Payment is to be made from the Water Utility Fund.
31. Received invoice #51 of Hagerman-Shambaugh (joint bidders) in the amount of $22,926.16 approved by HNT & B (H.B. Steeg Div.) for the period April 27, 1979 to May 25, 1979 for Water Quality Control Project DIVISION I - Water Pollution Control Plant Additions.	Approved and ordered City Utilities to pay invoice in the amount of $22,926.16. Also ordered the amount of $1,206.64 paid to Hagerman-Shambaugh Escrow Account at Lincoln National Bank. Payments are to be made from the Water Pollution Control Utility Fund.
32. Miscellaneous Invitational Bids were taken by the Street Engineering Department for the following: 417 W. Wildwood Tecumseh & Rivermet N.E. corner Sherman & Greenlawn 1922, 1910 and 1816 Sherman Blvd. Hipskind Concrete submitted the low bid in the amount of $2,219.50.	Approved bid of Hipskind Concrete Corporation in the amount of $2,219.50. Purchase Order No. 06663 issued to cover this project.
33. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Northeastern Construction Company, Inc. with Guaranty Bond in the amount of $13,750.00 signed by American States Insurance Company for Windrift, Section I Sanitary Sewer.	Approved. Ordered acceptance letter written.
34. Received Invoice #10 of Spears-Dehner, Inc. in the amount of $76,247.66 approved by the Street Engineering Department covered by Resolution No. 5797-78 - JEFFERSON - MAUMEE - WASHINGTON Project.	Approved and ordered $76,247.66 paid from LRS Account. Also ordered $8,471.97 paid to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank & Trust Company.
35. Received petitions for construction of sanitary sewer on South Drive from Hampshire to Wyandotte and on Oakpark Drive from Hampshire to Wyandotte Drive.	As petitions cover area of Ranchwood Sanitary Sewer (B.O. 149-77), Water Pollution Control Engineering Department is ordered to incorporate these petitions in Ranchwood Project.

36. Received Agreement by and between the City of Fort Wayne, Indiana and engineering firm of Reid, Quebe, Allison, Wilcox and Associates, Inc. for Combined Sewer Overflow Facility.

Approved. A true copy is incorporated herein.

Executed Agreement is to be submitted by Water Pollution Control Chief Engineer to the Indiana Stream Pollution Control Board.

37. Received a request from Three Rivers Festival (Bill Hausman) 2211 S. Calhoun, for permission to barricade the east and west entrances of City-County Building - Parking Lot Plaza - on Saturday, July 7, 1979 thru Sunday, July 15, 1979 from 5:00 p.m. till midnight each day.
PURPOSE: Bandstand and Concerts.

Approved and permit issued.

38. Received a request from Three Rivers Festival (Bill Hausman) 2211 S. Calhoun, for permission to barricade Barr Street between Wayne Street North to alley on Saturday, July 7, 1979 thru Sunday, July 15, 1979 from 10:00 a.m. to 8:00 p.m. each day.
PURPOSE: Barr St. Bazaar - Three Rivers Festival.

Approved and permit issued.

39. Received a request from Three Rivers Festival (Jim Snyder), Room 470 City-County Building, for permission to barricade Barr Street - Main to Berry on Saturday, July 7, 1979 thru Sunday, July 15, 1979 from 10:00 a.m. - 10:00 p.m. each day (partial opening during day time).
PURPOSE: Three Rivers Festival Concession Stands.

Approved and permit issued.

Meeting adjourned at 11:00 a.m.

Henry P. Wehrenberg

Edward D. Lamar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, June 27, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Wednesday, June 20, 1979 at 9 a.m. and Monday, June 25, 1979, 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received driveway applications:

Approved and permit issued.

2521 Barnhart ----- --------- Hoffman Const. Co.
2436 Broadway (close 3 approaches)--W.R. Leininger
2622 Knollridge Dr. ---------- James Zank
915 Stuart ------------------- Hoffman Const. Co.
916 Stuart ------------------- Hoffman Const. Co.

4. RECEIVE BIDS:

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 2, 1979 at 9:00 a.m.

Street Improvement Resolution No. 5840-79 for resurfacing 2nd Councilmanic District - resurfacing and restoring pavement as designated on the following streets: Bolton Drive, Vance Avenue, Vance Avenue Bosworth Drive, Kenwood Avenue, Glenwood Avenue, Alabama Avenue, Forest Valley Drive, Forest Downs Drive and Lake Forest Drive:

BROOKS CONST. COMPANY ----------	$143,024.00
DAILEY ASPHALT CO.-------------	153,935.00
HIPSKIND ASPHALT CORP. --------	165,272.00
MOELLERING CONST. CO. ---------	156,226.80
RIETH-RILEY CONST. CO. --------	171,012.20
WAYNE ASPHALT & CONST. CO.-----	163,972.00

5. RECEIVE BIDS:

Referred to the Street Engineering Department for abulation and report.

Award contract on Monday, July 2, 1979 at 9:00 a.m.

Street Improvement Resolution No. 5341-79 for resurfacing 1st Councilmanic District - resurfacing and restoring pavement as designated on the following streets: Masterson Avenue, Suttenfield Street, Lumbard Street, Lillie Street and Pontiac Street:

BROOKS CONST. COMPANY ----------	$193,732.50
DAILEY ASPHALT CO.-------------	213,400.50
HIPSKIND ASPHALT CORP. --------	226,655.00
MOELLERING CONST. CO. ---------	195,086.10
RIETH-RILEY CONST. CO. --------	240,731.95
WAYNE ASPHALT & CONST. CO. ----	235,563.00

6. Received Special Street Permit prepared and approved by the Street Engineering Department Bridges & Bridges Properties to construct Bradbury Avenue - BRIDGEDALE TERRACE ADDITION, SECTION "D".

Approved and Special Street Permit issued.

7. Received Water Contract No. 7907 prepared by the Water Engineering Department between the City of Fort Wayne Utility and Bernard A. Bridges for construction of water main extension to serve Bridgedale Terrace Addition, Section "D" on Bradbury Avenue.

Approved and permit issued.

Ordered sent to the Water Engineer for handling.

8. Received petition and waiver for replacement of sidewalk fronting Lot 31, G. W. Ewings 2nd Addition (1401 Broadway).

Approved.
WAIVER.
Board Order No. 89-79 issued.

Ordered the Street Engineering Department to prepare plans, cost estimate, etc.

9. Received Agreement to Purchase Real Estate from the City of Fort Wayne, Indiana, by Eugen A. Bondarenko located at 2106 So. Hanna Street known as Lot 77, South 22.25' and Lot 78, North 21 2/3' LaSalle's Addition to the City of Fort Wayne, Allen County, Indiana.

Approved.

Ordered sent to the Common Council on Tuesday, July 10, 1979 at 8:00 p.m.

10. Received Improvement Resolution No. 5844-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated on the following streets: (CITY PAID)

1. Enola Court - from the north curb line of Ojibway Trail to the southern terminus of Enola Court.
2. Opechee Way - from the east curb line of Meda Pass to the west curb line of Wawonaissa Trail.
3. Juliette Avenue - from the south curb line of Brown Street to the north curb line of Hale Avenue.
4. High Street - from the west curb line of Sherman Boulevard to the east curb line of Runnion Avenue.
5. Edenton Drive - from the north property line of Lot #24 Westmoor Ext. Addition to its northern terminus.
6. Creston Lane - from the west property line of North Glendale Drive to the east curb line of Edenton Drive.
7. Dresden Lane - from the west property line of North Glendale Drive to the east curb line of Edenton Drive.

with hot asphalt binder (as per design mix formula)
with hot asphalt top surface (as per design mix formula).

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Contractors on June 29 and July 6, 1979.

Receive bids on Wednesday, July 11, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

11.	Received invoice No. 71-01-310-01-0-91 of Howard Needles Tammen & Bergendoff (H. B. Steeg Div.) in the amount of $322.77 for general engineering of Water Quality Control Project Division I Water Pollution Control Plant Additions - Federal Project C-180538-01.	Approved. Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.
12.	Received Water Contract No. 7903 prepared and approved by the Water Engineer between the City of Fort Wayne Water Utility and Baer Field Industrial Park, Inc. by Norbert B. Knapke for construction of water mains to serve Hoover Universal Rogate Industries on Indianapolis Road.	Approved. Ordered Water Engineering Department to handle distribution.
13.	Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Spears-Dehner, Inc. with Guaranty Bond in the amount of $186,232.49 signed by United States Fidelity and Guaranty Company for Sanitary Sewer Interceptor Resolution No. 298-77 - Rothman Road Area.	Approved. Ordered acceptance letter written.
14.	Received invoice #8 (FINAL) of Spears-Dehner, Inc. in the amount of $10,071.65 prepared and approved by the Water Pollution Control Engineering Department covered by Sewer Resolution No. 298-77 - Rothman - Maplecrest Roads Sanitary Sewer Interceptor Phase II.	Approved and ordered invoice #8 (FINAL) of Spears-Dehner, Inc. paid by City Utilities in the amount of $10,071.65 Payment is to be made from the W.P.C.Utility Fund. Also, Release of Escrow (Spears-Dehner, Inc.) in the amount of $20,135.30 by Lincoln National Bank & Trust Company.
15.	Received a request from Peoples Trust Bank (Wally Fosnight) 913 S. Calhoun, for permission to barricade Thursday, Friday and Saturday (July 12, 13 and 14, 1979) Wayne Street from Calhoun to Clinton. Barricades requested at Wayne and Harrison, Berry and Calhoun and Washington and Calhoun. PURPOSE: Tubafest on Thursday and Friday and Circus Band Concert on Saturday Time Thursday and Friday: 6:45p.m. to 8:30 p.m. Time Saturday: 2:30 p.m. and 4:30 p.m.	Approved and permit issued.
16.	Received a request from O.G. Steinman, 931 Seward Street, for permission to barricade north curb lane in front of 120 W. Jefferson - one-half block area on the North side of International Business College for loading and unloading. PURPOSE: Auction.	Approved and permit issued.
17.	Received a request from Three Rivers Festival (Bill Hausman) 2211 S. Calhoun Street, for permission to barricade Main Street between Clinton and Calhoun on July 8, 1979, Sunday, 6:00 p.m. to 8:00 p.m. PURPOSE: Pepsi-Cola Skate Board Demonstration.	Approved and permit issued.

18. Received a request from Parking Administrator, Jim Schneider), Room 920 City-County Bldg., for permission to barricade Barr Street at Superior and to barricade entrance to Fine Arts Bldg. at Main Street on Monday, July 9, 1979 thru Friday, July 13, 1979 from 9:00 a.m. till 3:00 p.m.
PURPOSE: Insure that unauthorized persons do not park in employees and Fine Arts parking lots.

Approved and permit issued.

19. Received a request from Three Rivers Festival (Jim Snyder) Room 470, City-County Bldg., for permission to barricade the west half of Freimann Parking Lot on Wednesday, July 11, 1979 all day.
PURPOSE: City Equipment Show.

Approved and permit issued.

20. Received a request from Ann Slen, 4821 Forest Avenue, for permission to barricade Reed Road to Berkley on Wednesday, July 11, 1979 from 5:00 p.m. to 9:00 p.m.
PURPOSE: Block Party.

Approved and permit issued.

Meeting adjourned at 11:05 a.m.

Henry P. Wehrenberg

Edward N. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, June 28, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Continued from June 14, 1979
HEARING ON CONFIRMATION:

Sidewalk Improvement Resolution No. 5838-79 for the construction of sidewalk commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess Street and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north.

CONFIRMED.

Advertise Notice to Contractors on July 6 and July 13, 1979.

Receive bids on Wednesday, July 18, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

2. HEARING ON CONFIRMATION:

Street Lighting Resolution No. 137-79 for the installation of ornamental lighting in Harrison Hill Area.

Continued to July 12, 1979, Thursday, at 3:30 p.m.

Time up to receive remonstrance Monday, July 9, 1979 at 4:30 p.m.

3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Improvement Resolution No. 876-78 for the installation of sanitary sewer in area of McKinley - Connett - Edwards Streets.

The Board determined the benefits as indicated.

Ordered the Water Pollution Control Engineering Department to prepare Final Assessment Roll.

4. Received request from N & W Railroad (Bill Tesso) % Wm. Knappenberger, 1215 Nelson Road, for permission to barricade the north lane of Lower Huntington Road at R. R. tracks between Bluffton and Ardmore on Friday, June 29, 1979 from 9:00 a.m. to 3:00 p.m.
PURPOSE: Repair tracks caused by water main break.

Approved and permit issued.

5. Received a request from WLYV Radio Station (Joe Faulkner) 925 Anthony Wayne Bank Bldg., for permission to barricade the following streets on Sunday, July 8, 1979 from 1:00 p.m. till 7:00 p.m. - Lake at Tecumseh; Clay at Main; East end of Columbia Street Bridge; Tennessee Bridge at both ends; Turners Drive at Parnell; Appleseed Drive at Parnell; Baals Drive from Parnell to Coliseum; Edgewater at Tecumseh; St. Joe Blvd. at Tennessee; Lafort at Columbia; Loree at Columbia; Dearborn at Columbia and Oneida at Columbia.
PURPOSE: Annual raft race (Three Rivers Festival Event).

Approved and permit issued.

6. Received a request from Mizpah Temple Shrine (Bill Hausman) 2211 S. Calhoun, for permission to hold a parade on Friday, July 13, 1979 from 8:45 p.m. and ending at 9:45 p.m. Route to be traveled: Wayne east to Calhoun, north on Calhoun to Main, west on Main to Fairfield.
PURPOSE: Three Rivers Festival Event.

Approved and permit issued.

7. Received a request from Mizpah Temple Shrine, 2211 S. Calhoun, for permission to barricade the following streets on Friday, July 13, 1979 from 8:15 p.m. till 9:00 p.m. - All north south streets between Washington and Berry from Rockhill to Broadway. - Wayne at Rockhill, Main at Clinton, Main at Fairfield and Berry at Fairfield.
PURPOSE: Parade for Three Rivers Festival Event.

Approved and permit issued.

Meeting adjourned at 4:45 p.m.

Henry P. Wilmsberg

Ethel M. LaMar

Mary G. Scott

ATTEST:

Ursula Miller
Secretary and Clerk

Monday, July 2, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar, M. G Scott
Ursula Miller

Received Minutes of Meetings held on Wednesday, June 27, 1979 at 9 a.m. and Thursday, June 28, 1979 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received sidewalk application: — Approved and permit issued.

1429 Eagle St. ---------- S. Riviera

4. Received driveway applications: — Approved and permits issued.

4911 Illinois Rd. access on Reckeweg ---
3234 Varsity Lane ---------- Hoffman Const.

5. Received street cut applications: — Approved and permits issued.

Broadripple & Pinewood	--- C.U. Water Maint.
602 Curdes	--- NIPSCO
2803 Fairoak (prkstrp)	--- C.U. Water Maint.
2804 Fairoak (prkstrp)	---
3921 S. Hanna	--- NIPSCO
915 Harmar	--- C.U. Water Maint.
7301 Ideal	--- NIPSCO
340' along Inwood No. from Lake	--- "
221 E. Jefferson (prkstrp)	--- C.U. Water Maint.
1213 E. Lewis (alley)	--- NIPSCO
1919 Maumee (prkstrp)	--- C.U. Water Maint.
Morrow Way & Sherman (2) (prkstrp)	--- "
7217 Old Trail Rd.	--- NIPSCO
2713 St. Louis (prkstrp)	--- C.U. Water Maint.
2709 St. Louis (prkstrp)	--- "
1623 St. Mary's	--- NIPSCO
1015 Sherman	--- "
3717 E. Sherwood Terrace	--- "
N/o St. Joe Center Rd. W/o St. Joe Road	--- Ind. & Mich.
3320 E. State	--- Joe Watkins Trench.
4403 Warsaw (alley)	--- Golden Rule Sewer Serv.
201 E. Washington Ctr. Rd.	--- NIPSCO
2708, 2715, 2813, 2814 Waynedale (prkstrps)	--- C.U. Water Maint.
4923 S. Webster	--- NIPSCO
2418 and 2925 Weisser Pk.	--- "
6505 Winter	---

948 Mildred	---	NIPSCO
501 E. Suttenfield	---	"
201 E. Washington Ctr. (prkstrp)	---	"
124 W. Main	---	"
317 Putnam	---	"
2514 LaFoutain (prkstrp)	---	"
2930 Abbott (alley)	---	"
819 Ensley	---	"
1119 Liberty	---	"
906 Ensley	---	"
2330 Spring	---	"

6. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Street Engineering Department for Resurfacing Resolution No. 5840-79 for resurfacing and restoring eleven designated streets in the following areas: Bolton Drive, Vance Avenue, Bosworth Drive, Kenwood Avenue, Glenwood Avenue, Alabama Avenue, Forest Valley Drive, Forest Downs Drive and Lake Forest Drive. (2nd COUNCILMANIC DISTRICT).

AWARD contract to Brooks Const. Company at and for their bid in the amount of $143,024 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract and necessary documents.

7. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Street Engineering Department for Resurfacing Resoluton No. 5841-79 for resurfacing and restoring six streets designated in the following areas: Masterson Avenue, Suttenfield Street, Lumbard Street, Lillie Street and Pontiac Street. (1st COUNCILMANIC DISTRICT).

AWARD contract to Brooks Const. Company at and for their bid in the amount of $193,732.50 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract and necessary documents.

8. Received a request from First Assembly of God Church, 4001 S. Anthony, for permission to barricade Euclid behind the church/corner of Rudisill and Euclid Avenue on Sunday, July 1, 1979 from 11:00 a.m. to 5:00 p.m.
PURPOSE: Celebration for the Fourth of July.

Approved and permit issued.

9. Received a request from Briscoe (Joe Spinella) 130 E. Wayne, for permission to barricade the east lane of Calhoun from Washington to Peiples Bank on Thursday, July 5, 1979 from 7:00 a.m. till 4:00 p.m.
PURPOSE: Pouring concrete walls.

Approved and permit issued.

10. Received a request from Three Rivers Festival (Bill Hausman) 2211 S. Calhoun, for permission to barricade on Sunday, July 15, 1979 (raindate: July 16, 1979) from 8:00 p.m. till 10:00 p.m. the following locations:
1. Calhoun from Wayne to Columbia
2. Harrison from Wayne to Columbia
3. Main from Clinton to Webster
4. Berry from Clinton to Webster

PURPOSE: Three Rivers Festival "Fireworks".

Approved and permit issued.

11.	Received a request from Lincoln Park Neighborhood Association (Marcia Delagrange) 910 Irene Avenue, for permission to barricade Irene from Ethel to Poinsette on Thursday, July 26, 1979 from 11:30 a.m. till 3:00 p.m. PURPOSE: Block party - Herritage Day sponsored by Park Department.	Approved and permit issued.
12.	Received a request from Three Rivers Fesitval (Bill Hausman) 2211 S. Calhoun Street, for permission to hold a parade on Sunday, July 15, 1979 from 6:30 a.m. till 12:00 Noon - approximately 900 persons - three TV-33 Vehicles - starting at Coliseum parking lot, south on Parnell to St. Joe to Main to Calhoun; south on Calhoun to Tillman to Fairfield thru Foster Park to Old Mill Road south to Old Farm Circle to South Wayne north to Pasadent; return to Coliseum Parking Lot by same route. PURPOSE: Three Rivers Marathon Runners.	Approved and permit issued.
13.	Received a request from East Wayne Street Center (Mr. Elkins) 801 East Wayne, for permission to barricade Francis Street between Wayne and Berry on Friday, July 6, 1979 from 9:30 a.m. till 4:00 p.m. PURPOSE: Special Recreation Event.	Approved and permit issued.
14.	Received plat of Versailles Village approved and submitted by the City Plan Commission.	Approved.
15.	Received Amended Sewer Easement Resolution No. 161-78 for KRUGE PLACE ADDITION - Savoie's Subdiviison Sanitary Sewer - Lower Huntington Road and Ardmore Avenue. (SEWER RES. NO. 302-78).	Approved. A true copy is incorporated herein. SEE - 66-273-7 dated 12/11/78)
16.	Received Final Assessment Roll of Benefits and Damages prepared by the Water Pollution Control Engineering Department for Sewer Easement Resolution No. 161-78 AMENDED for Kruge Place Addition - Savoie's Subdivision Sanitary Sewer - Lower Huntington Road and Ardmore Avenue. (SEWER RES. NO. 302-78).	CONFIRMED and ordered sent to the Department of Finance.
17.	Received recommendation from the Water Pollution Control Engineer that the assessment at time of tap-in be assigned to three tracts for Ruth Schoenemann. The improved tract contains 69,920 square feet of benefitted area. This tract will be divided as follows: (1) 29,965 sq. ft. around house will be due at time of tap-in in the amount of $3,445.98. (2) 39,955 sq. ft. remaining of the benefitted area in amount of $4,594.82 due when second tap-in is made on this tract and (3) 39,992 sq. ft. of unimproved land in amount of $4,599.08 due when tap-in is made for this property. SEWER RES. 302-78 - (Sewer Easement 161-78).	Approved. Ordered Water Pollution Control Engineering Department to prepare Resolution setting tap-in fees.

18. Received inspection report from the Water Engineering Department and Completion Affidavit of T - G Excavating, Inc. with Completion Affidavit in amount of $1,450.00 signed by Fidelity and Deposit Company of Maryland for Sanitary Sewer Extension - 5601 Coldwater Road.

Approved and ordered acceptance letter written.

19. Received inspection report from the Water Engineering Department and Completion Affidavit of North Eastern Construction Company, Inc. in the amount of $4,906.25 signed by American States Insurance Company for Concord Hills, Section II - Water Main Contract #7821-A.

Approved and ordered acceptance letter written.

20. Received inspection report from the Water Engineering Department and Completion Affidavit of North Eastern Construction Company, Inc. in the amount of $16,562.50 signed by American States Insurance Company for Tanbark, Section I - Water Main Extension, Water Contract No. 7812.

Approved and ordered acceptance letter written.

21. Received inspection report from the Water Engineering Department and Completion Affidavit of North Eastern Construction Company, Inc. in the amount of $6,029.38 signed by American States Insurance Company for Rothman Road East of Maplecrest - Contract 78-XP-3.

Approved and ordered acceptance letter written.

22. Received inspection report from the Water Engineering Department and Comoletion Affidavit of T - G Excavating, Inc. IRREVOCABLE LETTER OF CREDIT NO. LC-537, dated June 6, 1979 in the amount of $13,631.50 - signed by Indiana Bank) for Colony Heights, Inc., Section "K" Crown Colony Contract No. 7816.

Approved and ordered acceptance letter written.

23. RESOLUTION NO. 67-217-23

WHEREAS, St. Joseph Hospital has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

A public alley running from Broadway on the east to VanBuren Street on the west, which alley is between Berry and Wayne Street to the City of Fort Wayne, Indiana, being in Rockhill's Amended Add., Fort Wayne, Allen County, Indiana.

Approved.

24. Received the following three invoices of Robert J. Houser approved and prepared by the Street Engineering Department for Miscellaneous sidewalk projects:
1. 1917 Thompson ---- $ 87.50
2. 478 Elizabeth ---- 400.00
3. Coombs St. Elev.-- 5052.60

Approved.

Ordered invoices paid as follows:
1. Paid from MVH Funds.
2. Paid from DSR Flood Damage Funds.
3. Paid under P.O. 4-05209.

25. EMERGENCY RESOLUTION NO. 67-218-25

WHEREAS, Fernhill Resolution No. 5835-79 is now under construction by Spears-Dehner, Inc., and

WHEREAS, it has become apparent that it will be necessary to install 60' of 24" casing for the Water Department's requirements; and

WHEREAS, an Emergency exists to have this constructed before Spears-Dehner, Inc., the paving contractor, can proceed; and

WHEREAS, Water Engineering solicted the following bids:

1. Spears-Dehner, Inc. ----------$ 7,440.00
2. Bercot, Inc. ----------$ 5,400.00
3. Fox Contractors----------$ 7,600.00:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to install said water casing and orders the Water Engineering Department to order a Purchase Order for $5,400.00 to Bercot, Inc. for said installation.

26. Received partial payment estimate No. 2 of Shambaugh & Son, Inc. in the amount of $26,055.00 approved by the Water Engineering Department for Contract No. 77-W-3 - Water Works Improvements - St. Joseph Dam & Pump Station. McNamee, Porter & Seeley, Consult. Engrs.

Approved and ordered City Utilities to pay invoice.

Also ordered the amount of $2,895.00 paid to Shambaugh & Son, Inc. Escrow Account at Fort Wayne National Bank.

27. Received Partial Payment Estimate No. 5 of Hagerman-Shambaugh (joint bidders) in the amount of $317,992.91 prepared and approved by McNamee, Porter & Seeley, Consulting Engineers, for Contract No. 77-W-2, Fort Wayne Filtration Plant Expansion.

Approved and ordered City Utilities to pay invoice.

Also ordered the amount of $35,332.54 paid to Hagerman-Shambaugh Escrow Account at Fort Wayne National Bank.

28. Received a request from Deid Dirks, 6333 Holgate, for permission to barricade Melville from Casselwood to Regis on Saturday, July 14, 1979 from 7:00 p.m. to 10:00 p.m. PURPOSE: Block party.

Approved and permit issued.

Meeting adjourned at 10:10 a.m.

Henry P. Helmsley

Edward W. LaMay

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, July 5, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway application: — Approved and permit issued.

1918 - 1924 Pemberton ---- Elbrecht-Roussel Concrete

4. Received private sidewalk application: — Approved and permit issued

1005 Pinehurst---------- Colonial Homes

5. NUNC PRO TUNC
Street cut permits for 1977
from Water Construction Department:

3323 Central	- 9/15/77
5222 Fairfield	- "
1012 L. Huntington Rd.	- "
5808 S. Anthony	- "
2622 Chandler Dr.	- "
914 Herman	- "
3701 Maumee	- "
3340 N. Washington Rd.	- "
1617 Oakland	- "
4127 Elmcrest	- "
5519 Hoagland	- "
2307 Winter	- "
1565 E. Tillman Rd.	- "
5401 Bluffton Rd.	- "
640 W. State	- 9/20/77
3300 Kirkfield	- 9/21/77
2100 Brown	- "
615 S. Calhoun	- "
Parking lot off Senate at Fleetwood	- "
3808 Eastway Dr.	- 9/26/77
3405 Heritage Dr.	- "
2002 Electric	- 9/29/77
2032 Brown	- "
S. Anthony at Creighton	- "
2913 Indiana	- "
4106 Lillie	- "
721 Forest	- 9/30/77
2120 Gay	- "
700 Broadway	- 10/3/77
429 Elnora	- "
2102 Covington	- 10/5/77
4902 Christofer Lane	- "
4432 Doenges	- "

4835 Oliver	- 10/5/77
3525 Logan	- "
Main at Jackson	- 10/10/77
6618 Dumont Dr.	- "
243 E. Pontiac	- 10/13/77
Wiebke & Monroe	- "
6700 Liberty	- "
5332 Winchester Rd.	- 10/18/79
4809 Kyle Rd.	- 10/19/77
Monarch & Duprey	- 10/24/77
300 W. Paulding Rd.	- "
530 Brudi	- 10/14/77
5007 Gaywood	- "
923 Lillian	- 10/26/77
4620 Fairfield	- 10/28/77
1723 E. Wayne	- "
Fairfield at Locust	- "
2915 Curdes	- 10/31/77
1605 Winter	- "
717 W. Jefferson	- "
823 E. Pontiac	- 11/2/77
2544 Reed St.	- "
Lewis E. of Hanna	- 11/3/77
Clay St. bet. Lewis & Madison	- "
615 Colerick	- "
537 E. Brackenridge	- 11/7/77
2804 N. Highlands	- "
426 E. Hawthorne	- 11/14/77
2009 Roy	- "
2509 Hoagland	- "
3710 W. Jefferson /Illinois	- 11/15/77
State School - St. Joe Rd.	- 11/16/77
1504 Irene	- 11/16/77
Decorators Supply - Quimby Village	- 11/18/77
4129 Meda Pass	- "
3017 Dellview Dr.	- 11/21/77
4119 Stanton Dr.	- 11/22/77
St. Joe Rd. N/Stellhorn Rd.	- "
Calhoun and Fairfax	- 11/23/77
4917 Devonshire	- 11/28/77
2000 Smith	- "
1447 Summit	- "
3121 Addison	- 11/29/77
2029 Brookside	- "
1511 Elmrow	- "
Barthold & High	- "
4317 Lynnwood Ct.	- "
2200 St. Joe Center Rd.	- 11/30/77
1314 N. Harrison	- 12/1/77
4327 Bowser	- 12/5/77
1835 Pemberton	- 12/7/77
1015 Capitol	- 12/13/77
440 E. Masterson	- 12/14/77
5329 Northcrest	- 12/15/77
1525 Shorview	- 12/21/77
1405 Shoreview	- "
1425 Shoreview	- "

6. NUNC PRO TUNC
Street cut applications for 1978
from Water Construction Department:

742 W. Superior	- 1/3/78
3210 Queen	- 1/6/78
7202 Baer Rd.	- 1/31/78
5118 Kyle Rd.	-
3126 McDonald	- 3/30/78
3829 Captiva Dr.	- 4/18/78
4655 Warsaw	- 7/27/78
4714 Dutchess Lane	- 4/28/78
1636 Wells	- 5/24/78
2425 N. Anthony	- 6/1/78

7. RECEIVE BIDS:

Water Contract No. 79-XP-3 - Main Street - for funishing of materials, labor, equipment, tools, power, transportation and miscellaneous equipment necessary to install 915 ± feet of 12", 85 ± feet of 8", 55 ± feet of 6" water main along West Main Street between Calhoun Street and Maiden Lane. (CITY PAID).

BERCOT, INC. ---------- $60,263.00

T - G EXCAVATING, INC.--- $66,452.80

Referred to the Water Engineering Department for tabulation and report.

Award contract on Monday, July 9, 1979 at 9 :00 a.m.

8. Received a petition for the removal and replacement of city walk at 4229 So. Wayne Street.

Approved.

Ordered Street Engineering Department to investigate and report.

Board Order No. 94-79.

9. Received a petition for the installation (restoration) of two sections of curb at 5915 Monarch Drive.

Approved.

Ordered the Street Engineering Department to investigate and report.

Board Order No. 93-79.

10. Received Improvement Resolution No. 5845-79, final plans, specifications and estimate prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated on the following streets:

1. ARLINGTON AVENUE - from the north property line of Pasadena Drive to a point 709 feet south thereof.

2. HARRISION STREET - from the north curb line Lexington Avenue to the south curb line of South Cornell Circle.

3. HARRISON STREET - from the north property line of Darrow Avenue to the north curb line of Rudisill Boulevard.

4. INDIANA AVENUE -from the north curb line of Oakdale Drive to the north curb line of Rudisill Boulevard.

5. INDIANA AVENUE - from the south curb line of Wildwood Avenue to the north curb line of Oakdale Drive.

Note : A 16 feet asphalt dtrip is to be placed down the center of Indiana Avenue as per above location description.

6. McKINNIE AVENUE - from the east curb line of Calhoun Street to the east curb line of Hanna Street

7. HOAGLAND AVENUE - from the southwest curb line of South Cornell Circle to the north curb line of Sherwood Terrace.

Approved and adopted. A true copy is incorporated herein.

Advertise, Notice to Contractors, July 6 and 13, 1979.

Receive bids on Wednesday, July 18, 1979 at 9 a.m.

Ordered the Street Engineering Department to prepare bid documents.

11. Received Improvement Resolution No. 5846-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated on the following street:

McKINNIE AVENUE - from the east curb line of Hanna Street to the west curb line of Anthony Boulevard.

Approved and adopted. A true copy is incorporated herein.

Advertise, Notice to Contractors, July 6 and 13, 1979.

Receive bids on Wednesday, July 18, 1979 at 9:00 a.m.

Ordered the Street Engineering Department to prepare bid documents.

12. Received Improvement Resolution No. 5847-79, final plans, estimate and specifications prepared by the Street Engineering Department for improving by resurfacing and restoring pavement as designated on the following streets:

1. LILLIE STREET _ from the south property line of Colerick Street to the south curb line of East Pontiac Street.

2. WINTER STREET - from the south curb line of Pontiac Street to the north curb line of Oxford Street.

3. OLIVER STREET - from the south curb line of Rudisill Boulevard to the north curb line of McKinnie Avenue.

4. REED STREET - from the north curb line of Fisher Street to the north curb line of Oxford Street.

5. QUEEN STREET - from the north curb line of Oxford Street to the north property line of Manford Street.

Approved and adopted. A true copy is incorporated herein.

Advertise, Notice to Contractors, July 6 and 13, 1979.

Receive bids on Wednesday, July 18, 1979 at 9 a.m.

Ordered the Street Engineering Department to prepare bid documents.

13. RESOLUTION NO. 67-222-13

WHEREAS, Mable Tobin has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, Indiana, to-wit:

Part of Garfield Street lying west of Lot #26 and Lot #27 in Anthony Boulevard Place Addition, described as follows:

Commencing at the Northwest corner of Lot #26 in Anthony Boulevard Place Accition said point being the East right-of-way line of Garfield Street; thence southeasterly along the west line of Lot #26 a distance of 10.1 feet to the point of beginning; thence south and parallel to the East line of Lots #26 and #27 a distance of 82 feet; thence east and parallel to the south line of Lot #27 a distance of 37.5 feet to a point on the west line of Lot #27, which said point is the point of intersection of the south and west lines of Lot #27; thence Northwesterly on and along the west lines of Lot #27 and Lot #26 to the point of beginning.

Approved.

14. Received quotations from the Purchasing Agent for the proposed purchase of year August 1, 1979 thru July 31, 1980 for the Water Pollution Control Plant:

BY-PRODUCTS MANAGEMENT, INC. --- $ 0.095/ lb.

K. A. STEEL CHEMICALS, INC. ---- $ 0.1114/lb.

The bid of By-Products Management, Inc. was accepted under Purchase Order No. 1191.

Ordered sent to the Common Council on Tuesday, July 24, 1979 at 8:00 p.m.

15. Received invoice No. 3 of Carrington & Associates in the amount of $8,970.47 prepared and approved by the Street Engineering Department for Resolution No. 5812-78 - Oxford Impact Area, Phase III.

Approved and ordered paid by Community Development and Planning.

16. Received invoice No. 1 of Hipskind Asphalt Corporation in the amount of $5,253.50 prepared and approved by the Street Engineering Department for Resolution No. 5832-79 - College Street Elevation.

Approved and ordered paid from MVH Funds.

17. Received partial estimate No. 17 of T & F Construction Corporation in the amount of $53,197.61 prepared and approved by the Street Lighting Engineering Department for Street Lighting Resolution No. 125-77 Central Business District Street Lighting and Traffic Signals. EDA- 06-51-26289.

Approved and ordered the amount of $53,197.61 paid to T & F Construction Corp. by the City Controller.

Also, ordered T & F Const. Corp Escrow Account at Indiana Bank & Trust Company paid the amount of $2,799.87.

Payments are to be made from LPW II.

18. EMERGENCY RESOLUTION NO. 67-223-18

WHEREAS, a sanitary sewer collapsed on Camden Drive, north of Essex Lane; and

WHEREAS, L. W. Dailey, Inc.; John Dehner, Inc.; and Bercot, Inc. were requested to submit bids and L. W. Dailey, Inc. submitted low bid in the amount of $4,223.89:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to repair said sewer and orders City Utilities to pay to L. W. Dailey, Inc. for said repair in amount of $4,223.89.

Approved this July 5th, 1979.

Meeting adjourned at 11:00 a.m.

Henry J. Uhlenberg

Ethel W. McMahan

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, July 9, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. Lamar,
M. G Scott
Ursula Miller

Received minutes of meetings held on
Monday, July 2, 1979 at 9 a.m and
Thursday, July 5, 1979 at 9 a.m.

1. Received purchase orders from the Purchsing Agent of City Utilities. — Approved.

2. REceived payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application: — Approved and permit issued.

1801 Lake Ave. ---------- R. D. Sowers

4. Received driveway application: — Approved and permit issued.

5712 Lancashire Ct. ------- Elmer Miller Bldrs.

5. Received street cut applications: — Approved and permits issued.

2930 Abbett (alley)	--- NIPSCO
338 - 342 W. Baker	--- J & G Sewer & Water
3715 S. Barr	--- "
311 - 313 W. Brackenridge	--- "
2828 Broadripple (prkstrp)	--- "
2418 Broadway	--- "
3100 Brooklyn	--- C. U.
Brooklyn & Whitmore	--- "
1102 Burgess	--- J & G Water & Sewer
2616 Busche (prktrp)	--- C.U.
1119 Columbia	--- J & G Water & Sewer
132 W. Columbia	--- C.U.
211 E. Crown Ln. (prkstrp)	--- "
3328 Fairfield	--- NIPSCO
Fairfax & Bowser	--- C.U.
608 Fricke	--- NIPSCO
1000 Harmar	--- J & G Water & Sewer
2017 & 2019 Hillside	--- C.U.
1415 McClellan	--- J & G Water & Sewer
6609 Old Trail (prkstrp)	--- C.U.
3406 Plaza	--- J & G Water & Sewer
353 Pursley	--- "
3318 E. State	--- "
502 W. Superior	--- "
501 E. Suttenfield	--- NIPSCO
Tillman & John St.	--- C.U.
3232 N. Washington Rd.	--- NIPSCO
1416 Webster	--- J & G Water & Sewer
3814 S. Webster	--- NIPSCO
1239 Wells	--- C.U.
461 Weibke	--- J & G Water & Sewer
136 E. Williams	--- "

3406 Plaza (alley)	--- NIPSCO
1915 Andrews	--- "
6521 Redbud (prkstrp)	--- "
2138 Ontario	--- "
342 W. Baker (alley)	--- "
338 W. Baker	--- "
4751 Kyle Rd.	--- "
120 W. Jefferson (alley)	--- "
2124 Riedmiller	--- "
1900 Randalia	--- "
King & Maumee	--- Gen. Tel.
332 W. Baker (alley)	--- NIPSCO

819 Ansley	---NIPSCO
2334 S. Anthony (prkstrp)	---C.U. Water Maint
3602 Avondale (alley)	---NIPSCO
3926 Bowser (alley)	--- "
2419 Cass (alley)	---Shoda Enterprises, Inc.
132 Columbia	---Karl Replogle
Dwenger & Sinclair (prkstrp)	---C.U. Water Maint.
7105 Elzey	---NIPSCO
2024 Emma	---C.U. Water Maint.
Harrison bet. Washington and Jefferson	Gen. Tel.
	--- "
2017 Hillside	---NIPSCO
2415 McKee (prkstrp)	---C.U. Water Maint.
4130 N. Washington	---NIPSCO
7410 Old Trail Rd.	--- "
Along Ontario at intersec. Strathmore St.	--- "
650 Putnam	--- "
1323 E. Rudisill (prkstrp)	---C.U. Water Maint.
3515 Shoaff Pk/ River Dr. (prkstrp)	--- "
500 E. Washington (prkstrp)	--- "
333 Washington Ctr. Rd.	---NIPSCO
Wells & Jacobs (prkstrp)	---C.U. Water Maint.

6. AWARD CONTRACT:

Received tabulation and recommendation prepared by the Water Engineering Department for Water Main Replacement Contract 79-XP-3 Main Street.

Award contract to Bercot, Inc. at and for their bid in the amount of $60,263.00 subject to councilmanic approval.

Ordered Water Engineering Department to prepare contract.

7. Received Contract, Guaranty and Liability Bonds of L. W. Dailey, Inc. in the amount of $188,031.30 prepared by the Street Engineering Department for Resolution No. 5827-79 - Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV; Sections A and B; Northwest Central Phase III-79. Insurance company is St. Paul Fire & Marine Ins. Co.

Approved.

Ordered sent to the Common Council on July 24, 1979 at 8:00 p.m.

8. Received Contract, Guaranty and Liability Bonds of L. W. Dailey, Inc. in the amount of $140,747.75 prepared by the Street Engineering Department for Resolution No. 5828-79 - East Central, Phase IV and Hanna-Creighton, Phase III. Insurance company is St. Paul Fire & Marine Insurance Company.

Approved.

Ordered sent to the Common Council on July 24, 1979 at 8:00 p.m.

9. Received Contract, Guaranty and Liability Bonds of Moellering Construction Company in the amount of $50,951.00 prepared by the Street Engineering Department signed by Reliance Insurance Company for Resolution No. 5830-79 - Production Road.

Approved.

Ordered sent to the Common Council on July 24, 1979 at 8:00 p.m.

10. RESOLUTION NO. 67-226-10

WHEREAS, the Board of Public Works did adopt Sewer Improvement Resolution 876-78 titled "McKinley - Connett - Edwards Sanitary Sewer" on December 6, 1978, and

WHEREAS, it was determined the Indiana & Michigan Electric Company was the legal property owner of certain lots and tracts which were subject to a full Barrett Law Assessment under Indiana State Code, and

WHEREAS, the Indiana & Michigan Electric Company has requested relief from the assessment for these lots and tracts because the residential development of these lots and tracts would be impractical under the existing use of these lots and tracts, and

WHEREAS, the Board of Public Works has on file a letter dated June 28, 1979, which states the Indiana & Michigan Electric Company will accept the assignment of any relief, granted to the area shown on Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS THAT:

(1) The assessment due on Lots 9, 10, 13, 14, 17, 18, 21, 22, 25, 26, 29 and 30 in Connett's Outlots and a small tract south of these lots which amounts to $29,845.96 shall be paid by City Utilities.

(2) An assessment is hereby established to that area shown on "Exhibit "A" in the amount of $29,845.96 and shall be paid to City Utilities in full whenever this area is developed by its owner.

Adopted this 9th of July, 1979.

A true copy is incorporated herein.

11. Received Final Assessment Roll prepared by the Water Pollution Control Engineering Department for Sanitary Sewer Resolution No. 876-79 McKinley - Connett - Edwards Streets Area.

CONFIRMED.

Ordered sent to the Department of Finance.

12. Received Escrow Account Agreement by and between Lincoln National Bank & Trust Company and Spears - Dehner, Inc. covering Resolution No. 5835-79 - Fernhill Avenue.

Approved.

13. Received quotation from the Purchasing Agent for the proposed purchase of tapping valves for Water Maintenance & Service Department:

TREATY COMPANY ----------	$4,150.44
UNDERGROUND PIPE & VALVE ----	4,164.30
SIDENER SUPPLY OF IND. ------	4,255.98
V. R. MYERS PUMP ----------	4,886.64
SENTRY COMM. & INDL. SUPPLY--	5,375.88

Approved and accepted under Purchase Order No. 1194 for Treaty Company.

Ordered sent to the Common Council on Tuesday, July 24, 1979 at 8:00 p.m.

14. Received Purchase Order No. 1198, dated July 6, 1979, to T - G Excav., Inc. in the amount of $4,660.00 from the Purchasing Agent for Water Pollution Control Maintenance Department for the installation of manhole over existing storm sewer on Field Street. (Emergency Res. 67-170-28).

Approved.

15. Received petition for repair of sidewalks corner of Miner and Huestis Streets.

Approved.

Ordered Street Engineering Department to investigate and report.

Board Order No. 96-79 issued.

16. Received invoice of Moellering Construction Company, Inc. in the amount of $33,177.72 approved by the Street Engineering Department covering work on Resolution NO. 5819-78 - Ewing Street and Runnion Avenue Resurfacing.

Approved and ordered paid from Resurfacing Fund.

17. Received invoice of L. W. Dailey, Inc, in the amount of $4,223.89 approved by the City Utilities' General Superintendent for repair of sewer which collapsed on Camden Drive just north of Essex Lane. (Emergency Res. 67-223-18)

Approved and ordered City Utilities to pay invoice under Emergency Resolution No. 67-223-18.

18. EMERGENCY RESOLUTION NO. 67-227-18

WHEREAS, a drop connection in a manhole at 2021 Paulding Road is in need of repair to insure continual service of a 12 inch sewer, and

WHEREAS, City Utilities' General Superintendent requested bids from T & G Excavating, Inc.: Bercot, Inc. and L. W. Dailey, Inc.; and T & G Excavating, Inc. submitted low bid of $3,339.00:

NOW, THEREFORE, the Board of Public Works hereby declares that an Emergency exists to make this repair and orders City Utilities' General Superintendent to requisition Purchase Order for T & G Excavating, Inc. in the amount of $3,339.00.

Approved this July 9, 1979.

19. Received invoice No. 6 (FINAL) of Spears-Dehner, Inc. in the amount of $519.57 approved by the Water Pollution Control Engineering Department covering work on Sewer Resolution No. 303-78 - Monarch Park Drain Project, Phase II.

Approved and ordered paid from Revenue Sharing Account Funds.

20. Received recommendation from the Water Pollution Engineering Department to authorize RELEASE OF ESCROW to Spears-Dehner, Inc. by Lincoln National Bank & Trust Company in the amount of $13,293.18 covering Sewer Resolution No. 303-78 - MONARCH PARK DRAIN PROJECT, PHASE II.

Approved.

Ordered Lincoln National Bank & Trust Company to pay Spears-Dehner, Inc. the amount of $13,293.18.

21. Received Grant of Easement for Sanitary Sewer whereby Blue Jay Associates gives and grants to the City of Fort Wayne, Indiana, a right-of-way and easement to construct, maintain and operate a sanitary sewer tap line in, under and along the real estate of Grantor situated in Wayne Township, Allen County, Indiana, Section 33, Township 30 North, Range 12 East. (ROGATE INDUSTRIES).
Note: Indiana & Michigan Electric Company leases property from Blue Jay Associates.

Approved.

Ordered sent to Water Pollution Control Engineering Department for recording and return for our file.

A true copy is herein incorporated.

22. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Spears-Dehner, Inc. with Guaranty Bond in the amount of $134,548.22 signed by United States Fidelity & Guaranty for Sewer Resolution No. 303-78 - Monarch Park Drain Improvement, Phase II.

Approved.

Ordered acceptance letter written.

23. EMERGENCY RESOLUTION NO. 67-228-23

WHEREAS, portions of the exterior of the City Parking Garage recently have fallen to the sidewalk below, and dangerous structural deficiencies have appeared; and

WHEREAS, the Parking Administrator and Structural Engineer have advised the Board of Public Works that said garage is in need of immediate repair; and

WHEREAS, the safety and welfare of the public using the Parking Garage and facilities in its vicinity are endangered; and

WHEREAS, the Indiana Construction Company, W. A. Sheets, and Prepakt Concrete, Inc., were invited to submit bids of this emergency repair; and

WHEREAS, Prepakt Concrete, Inc., of Cleveland, was the only company which submitted a proposal to perform these emergency repairs on a unit price basis not to exceet $30,000:

NOW, THEREFORE, the Board of Public Works hereby declares that an emergency exists and orders the Parking Administrator to requisition a Purchase Order to Prepakt Concrete, Inc., of Cleveland, to make said repairs.

Adopted this 9th day of July, 1979.
A true copy is incorporated herein.

Meeting adjourned at 10:50 a.m.

Henry P. Wiebenberg

Edward W. Pamer

Mary G. Scott

ATTEST:

Ursula Miller
Secretary and Clerk

Wednesday, July 11, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. WEHRENBERG, E. H. LAMAR,
M. G SCOTT
Ursula Miller

Received minutes of meeting held on Monday, July 9, 1979 at 9:00 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received driveway applications: — Approved and permit issued.

3500 S. Anthony (J.R. Irwin School)---Silkworth Const.
5400 Distribution Dr. ----------Harley Graham, Inc.
300 blk. Douglas (Ft. Wayne Com. School)---Land Excavating
5619 Larchwood Run ---------- Adventurous Homes
1005 Pinehurst Dr. ---------- Colonial Homes
5226 Riveria (reconstruction)------- Gary Houser
1117 E. Rudisill ---------- Bob's Home Mntce.
3700 3800 Sherman ---------- Rieth-Riley Const.
7211 Snowfall Ct. ---------- Worthman Homes
2800 W. State (Westwood Valley Add.)--John Hartman

4. RECEIVE BIDS: — Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 16, 1979 at 9 a.m.

Improvement Resolution NO. 5843-79 for improving by resurfacing and restoring pavement as designated on the following streets: POINSETTE DRIVE, WEST STATE BOULEVARD, COLWYN LANE, MARSTON DRIVE, ANDREW STREET, CHEROKEE ROAD, RIDGEWOOD DRIVE AND RED HAW DRIVE: (3rd Councilmanic District) CITY PAID.

BROOKS CONST CO., INC.	___	No bid.
DAILEY ASPHALT CORP.	___	$202,911.50
HIPSKIND ASPHALT CORP.	___	202,417.50
MOELLERING CONST CO.	___	194,084.10
RIETH-RILEY CONST. CO.	___	235,294.10
WAYNE ASPHALT CORP.	___	190,696.90

5. RECEIVE BIDS:

Improvement Resolution No. 5844-79 for improving by resurfacing and restoring pavement as designated on the following streets: ENOLA COURT, OPECHEE WAY, JULIETTE AVENUE, HIGH STREET, EDENTON DRIVE, CRESTON LANE AND DRESDEN LANE: (4th Councilmanic District) CITY PAID.

BROOKS CONST. CO.	___	$118,085.00
DAILEY ASPHALT CORP.	___	118,306.00
HIPSKIND ASPHALT CORP.	___	126,202.50
MOELLERING CONST. CO.	___	118,713.30
RIETH-RILEY CONST. CO.	___	137,271.50
WAYNE ASPHALT CORP.	___	110,113.05

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 16, 1979 at 9 a.m.

6. Received plat of Oak Borough Section II, approved and submitted by the City Plan Commission.

Approved.

7. Received plat of Aspen Village, Section IV, approved and submitted by the City Plan Commission.

Approved.

8. Received plat of Orchard Woods, Section "B" approved and submitted by the City Plan Commission.

Approved.

9. Received plat of Oak Burough, Section I, approved and submitted by the City Plan Commission.

Approved.

10. Invitational Bids were taken by Street Engineering Department for miscellaneous curb and wingwalk projects:

Carrington and Associates submitted the low bid of $4,049.79.

Approved and ordered Purchase Order No. 06684 issued to cover projects.

11. Invitational Bids were taken by the Street Engineering Department for miscellaneous curb and wingwalk projects:

Carrington and Associates submitted the low bid of $2,624.35.

Approved and ordered Purchase Order No. 06683 issued to cover projects.

12. Received invoice No. 1 of Hipskind Concrete Corp. in the amount of $6,602.49 prepared and approved by the Street Engineering Department covered by Improvement Resolution No. 5829-79 - OXFORD STREET, Phase IV.

Approved and ordered paid by Community Development and Planning.

13. A request was received from Simpson United Methodist Church, 2501 S. Harrison, for permission to barricade Suttenfield for one-half block from Harrison to alley beside church on Saturday, July 7, 1979 from 3:00 p.m. to 7:30 p.m.
PURPOSE: Ice Cream Social.

Approved and permit issued.

14. A request was received from Cleo Werling, 2318 Webster, for permission to barricade alley between Webster and Hoagland on July 9 and 10, 1979 (Monday and Tuesday) from 9:00 a.m. till 4:00 p.m.
PURPOSE: Painting house.

Approved and permit issued.

15. A request was received from U.S. Postal Office Garage (Bob Exner) 321 W. Baker, for permission to barricade cemented area where park strip would be on west end of building on Baker Street from July 11, 1979 thru August 1, 1979 for three weeks.
PURPOSE: Sale of postal cars.

Approved and permit issued.

16. A request was received from Rieth-Riley Construction Company, 2511 N. Countyline, Huntertown - to barricade Lake and Hobson Road intersection, west bound lanes on Lake and north and south lanes on Hobson Road (alternating) starting July 11, 1979 and ending on October 10, 1979 (three months).
PURPOSE: Putting in turn lanes on Lake and Hobson Road.

Approved and permit issued.

17. A request was received from Frank Briscoe (Herbert Schildt) 130 E. Wayne, for permission to barricade the north lane of Washington - one block between Clinton and Calhoun on Thursday, July 12, 1979 from 7:00 a.m. to 3:00 p.m.
PURPOSE: Pouring concrete.

Approved and permit issued.

Meeting adjourned at 10:50 a.m.

Henry P. Wehrenberg

Ethel W. LaMar

Mary A. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

Thursday, July 12, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Continued from June 28, 1979
HEARING ON CONFIRMATION:

Street Lighting Resolution No. 137-79 for the installation of street lighting in Harrison Hill Area.

CONFIRMED.

Advertise, Notice to Contractors, July 20 and July 27, 1979.

Receive bids on Wednesday, August 1, 1979 at 9 a.m.

Ordered the St. Lighting Engineering Department to prepare bid documents.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sidewalk Improvement Resolution No. 5798-79 for the installation of sidewalks in the area of Tillman Road between South Anthony Boulevard and Hessen Cassel Road.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare Final Assessment Roll.

3. HEARING ON CONFIRMATION:

DECLARATORY RESOLUTION NO. 67-189-14 for constructing, financing, maintaining, leasing and operating an off-street parking facility, the Civic Center Parking Garage - within the area in Downtown Fort Wayne bordered by Washington, Clinton, Jefferson and Calhoun Streets denominated Block III.

CONFIRMED.

Determined to be of public utility and of benefit to the "City" and its citizens.

Advertise, Notice to Contractors August 3 and August 10, 1979.

Receive bids on Friday, August 24, 1979 at 10:00 a.m.

Ordered Martindale, Tourney, Gibson, Inc., Architects, to prepare bid documents.

4. RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, approving acquisition, construction, financing, operation and leasing of an off-street parking facility.

WHEREAS, on June 13, 1979, the Board of Public Works of the City of Fort Wayne adopted a declaratory resolution that it is to the utility and benefit of the City and its citizens to construct, finance, maintain, lease and operate an off-street parking facility, the Civic Center Parking Garage, located on the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson and Calhoun Streets, denominated in the Civic Center Renewal Project as the north one-half (1/2) of Block III, at a cost of approximately $3,005,169.00, financed by an Urban Development Action Grant from the United States Department of Housing and Urban Development, revenue bonds, and such other sources as the Common Council of the City of Fort Wayne may authorize: and

WHEREAS, Notice of the adoption of the resolution was published in the Fort Wayne Journal-Gazette and Fort Wayne News-Sentinel newspapers June 15, 1979, and June 22, 1979; and

WHEREAS, a public hearing was held by the Board of Public Works on July 12, 1979; and

WHEREAS, the Board has heard all persons interested in or affected by the proceedings who have desired to be heard, and considered all remonstrances filed;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

The Board of Public Works determines the off-street parking project, Civic Center Parking Garage, to be of public utility and benefit to the City and its citizens and confirms the declaratory resolution to construct, finance, maintain, lease and operate the off-street parking facility located on the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson, and Calhoun Streets in downtown Fort Wayne, Indiana, at a cost of approximately $3,005,169.00 to be financed by the proceeds of an Urban Development Action Grant of $1,462,000.00 and the balance in the sum of $1,543,169.00 is to be furnished by the City of Fort Wayne out of revenues from the CCPG, from the proceeds of the sale of revenue bonds collateralized by revenues to be received from the CCPG, by the pledge and/or hypothecation of all or any part of the revenue to be received by the City from the Indiana & Michigan Electric Company and Peoples Trust Bank leases, or any other leases located within the CCPG, from the sale of leasehold space in the CCPG, and/or from such other sources as the Common Council of the City of Fort Wayne may authorize.

Approved and adopted this 12th day of July, 1979.

A true copy is incorporated herein.

Meeting adjourned at 4:15 p.m.

Henry L. Wehrenberg

Ethel B. Lehman

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, July 16, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received street cut applications: — Approved and permits issued.

1114 - 1118 & 1215 Cass (prkstrp)	--- C. U.
1404 S. Clinton / Brackenridge	- "
1426 Eckart (prkstrp)	- "
3515 Euclid	- "
Inland Trail, River Run Ct. and Rapids Way	- Gen. Tele.
120 W. Jefferson	- C.U.
3215 S. Lafayette	- "
Intersec. King & Maumee	- Gen. Tel.
3535 Rolston (prkstrp)	- C.U.
719 E. Rudisill (prkstrp)	- "
1211 Wallace	- Scherer Plumb.
2604 E. Washington /Memorial Pk. Dr.	- C.U.
1805 Webster (prkstrp)	- "
No. driving lane of Taylor / intersec. of Taylor & Phenie at alley east of Electric	- Gen. Tele.
937 Illsley (alley)	- NIPSCO
2715 Reed (alley)	- "
1011 S. Harrison	- "
6651 St. Joe Road	- "
1528 Wabash	- "
1410 Webster (alley)	- "
817 Anderson	- "
3118 Reynolds (prkstrp)	- "
3016 Bowser (prkstrp)	- "

4. Received private sidewalk applications: — Approved and permits issued.

628 - 630 Calhoun St.	---------- E. Holliday
4538 Calhoun	--- Clarence Dull
2324 Crescent	--- Robert Houser
1644 Huffman	--- Robt. Houser
2704 Mounded Ct.	--- Windsor Bldrs.
2710 Mounded Ct.	--- Windsor Bldrs.
4229 S. Wayne	--- Ned Keener

5. Received driveway application: — Approved and permits issued.

6651 St. Joe Road ---------- Rieth-Riley Const.

6. Award Contract:

Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5843-79 for improving by resurfacing and restoring pavement as designated on the following streets: POINSETTE DRIVE, WEST STATE BOULEVARD, COLWYN LANE, MARSTON DRIVE, ANDREW STREET, CHEROKEE ROAD, RIDGEWOOD DRIVE AND RED HAW DRIVE.

AWARD contract to Wayne Asphalt & Construction Company, Inc. at and for their bid in the amount of $190,696.90 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

7. Award Contract:

Received tabulation and recommendation prepared by the Street Engineering Department for Improvement Resolution No. 5844-79 for improving by resurfacing and restoring pavement as designated on the following streets: ENOLA COURT, OPECHEE WAY, JULIETTE AVENUE, HIGH STREET, EDENTON DRIVE, CRESTON LANE & DRESDEN LANE.

AWARD contract to Wayne Asphalt & Construction Company, Inc. at and for their bid in the amount of $110,113.05 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

8. Received a request from Geois Adams, 123 E. McKinnie Avenue, for permission to use the following property W 30.1" of W 190.1' of S 150' Dewald Square (457 E. Creighton) for the period beginning on the 12th of July, 1979 and ending on the 31st day of October, 1979 for CHORAL PRACTICE - REVIVAL TENT only.

Approved and permit issued.

9. A request was received from General Telephone Company (Don Rehling), 525 Tecumseh, for permission to barricade: 1. North driving lane Taylor - intersection of Taylor and Phenie. 2. Alley - west of Electric. Date of Barricade was July 13, L979 from 8:00 a.m. to 4:00 p.m.
PURPOSE: Repair sunken manhole castings.

Approved and permit issued.

10. A request was received from Loundsbury Wrecking (Bill Loundsbury) P.O. Box 7102, for permission to barricade sidewalks - 50' South on Winter to alley East at Winter on Allgier on July 14 to 20, 1979 from 7:00 a.m. till 8:00 p.m. RAIN DATE: July 16 & 17, 1979.
PURPOSE: Demolition of building.

Approved and permit issued.

11. Received a request from Frank Briscoe, (Herbert Schildt) 130 E. Wayne, for permission to barricade: 1. One lane of Calhoun east. 2. South lane of Washington at the corner of Clinton. Date of Barricade is Monday, July 16, 1979 - CALHOUN - 7:30 a.m. to 8:30 a.m. and WASHINGTON - 8:30 a.m. to 9:00 a.m.
PURPOSE: unload truck and load truck.

Approved and permit issued.

12.	A request was received from Dan Patrick, 2203 Florida Drive, for permission to barricade Florida Drive from East State to Forest Avenue on Saturday, July 21, 1979 from 5:00 p.m. to 10:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
13.	Received a request from Statewood Baptist Church, 2208 Coliseum Blvd., for permission to hold a parade on Saturday, August 4, 1979 from 2:00 p.m. to 3:00 p.m. Parade participants: 75 persons and 25 cars - Route to be traveled: State Street from Coliseum to Reed to Vance to Hobson Road back to Chruch parking lot. PURPOSE: Vacation Bible School.	Approved and permit issued.
14.	Received a request from General Telephone, 525 Tecumseh, for permission to barricade entrance of alley between Kentucky and Crescent on Tennessee on Monday, July 16, 1979 from 9:00 a.m. to 3:00 p.m. PURPOSE: Street cave-in.	Approved and permit issued.
15.	Received a request from General Telephone, 525 Tecumseh, for permission to barricade west lane of Van Buren & Berry intersection on July 17 to 20, 1979 from 9:00 a.m. to 3:00 p.m. PURPOSE: Provide city signal with a duct for fire alarm.	Approved and permit issued.
16.	Received a petition for street pavement on McClellan Street (Belmont Additon) from Pettit to Paulding Road at no cost to property owners.	Approved and ordered the Street Engineering Department to investigate and report. B. O. 97-79.
17.	Received a petition for street lighting on McClellan Street (Belmont Additon) from Pettit to Paulding Road at no cost to the property owners.	Approved and ordered the Street Lighting Engineering Department to investigate and report. B.O. 98-79.
18.	Received notification from Redevelopment Commission that they will provide $729,524.69 instead of $500,000 for West Main Street Reconstruction and approval of awarding contract to L. W. Dailey, Inc. for Resolution No. 5833-79.	Ordered Street Engineering Department to prepare contract. AGREEMENT – H.I.
19.	Received quotations from the Purchasing Agent for the proposed repair of #5 High Service G.E. Pump Motor, S/N 5280605 for Three Rivers Filtration Plant: GENERAL ELECTRIC COMPANY ---------- $5,896.00 REMS, INC. ---------- $5,950.00	Approved and accepted under Purchase Order No. 1208 to General Electric Company in the amount of $5,896.00. Ordered sent to the Common Council on Tuesday, July 24, 1979 at 8:00 p.m.

20. Received Purchase Order No. 001203, dated July 11, 1979, issued to Bercot, Inc. in the amount of $5,400.00 for labor and material and equipment to install 60 lineal feet of 24" casing pipe across Penn Central Railroad at Fernhill Avenue per EMERGENCY RES. NO. 67-218-25.

Approved.

21. Received invoice No. 70-10-210-01-10 of McNamee, Porter and Seeley in the amount of $10,937.52 approved by the General Superintendent of City Utilities for general engineering and resident engineering for water works improvements in accordance with Contract between the City and the engineers dated December 7, 1970 and Amendment No. 1 dated March 30, 1977 (77-W-1).

Approved.

Ordered City Utilities to pay invoice.

Payment is to be made from the Water Utility Fund.

22. Received invoice No. 78-08-310-01-0-10 of Howard Needles Tammen & Bergendoff (Steeg Div.) in the amount of $1,161.22 for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - ADVANCED WASTEWATER TREATMENT DESIGN - Phase B - Task #2. Also, invoicing 1978 OVERHEAD ADJUSTMENT from FHWA Audit for Tasks 1, 3 and 8 previously invoiced. Grant C-180774-02.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

23. Received invoice No. 78-08-310-01-0-11 of Howard Needles Tammen & Bergendoff (Steeg Div.) in the amount of $455.62 for professional engineering services performed in connection with Agreement for Engineering Services dated March 20, 1978 - ADVANCED WASTEWATER TREATMENT DESIGN - Phase A - Task #7. Also, billing adjustment of 1978 projected to audit OVERHEAD COSTS FOR TASK #1 through #6 previously invoiced. Grant C-180774-02.

Approved and ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

24. Received inspection report from the Water Engineering Department and Completion Affidavit of North Eastern Construction Company with Maintenance Bond in the amount of $3,500 signed by Insurance Company of North America for Water Main Contract 7715 -Papermill Bluffs, Section II.

Approved.

Ordered acceptance letter written.

25. Received inspection report from the Water Engineering Department and Completion Affidavit of John Hartman Construction Company with Maintenance Bond in the amount of $11,753.12 signed by State Automobile Mutual Insurance Company for Water Contract 7904 - Franke Park Villas, Section I.

Approved.

Ordered acceptance letter written.

26. Received invoice of Continental Construction Company, Inc. in the amount of $1,942.13 approved by the Street Engineering Department for 1977 Miscellaneous Construction per purchase orders as follows:

Approved and ordered paid under respective purchase orders.

P.O. 34464:	1533 Hillside and SE cor. Lake and Delta-----	$225.00 and $515.75
04252	SW cor. Lake & Delta------	$417.00
34213	Prospect Ave. ----------	$165.90
34465	Margaret----------	$143.33
34465	314 W. Wildwood ----------	$374.10
34465	1431 Michigan ----------	$101.05
	TOTAL --------	$1942.13

27. Received invitational bids by the Street Engineering Department for Miscellaneous projects: 2920 Barnhart (pavement and curb); Ridgewood and Clinton (curb) and 2812 Plaza (sidewalk). Carrington & Associates, Inc. was low bidder in the amount of $3,673.02.

Approved.

Purchase Order #06695 issued to cover this project.

28. Replacement of additonal curbface walk on Coombs Street Bridge and restoring sidewalk at 2324 Crescent corner of Lynn was done by Robert Houser in the amount of $977.00. Work was approved by the Street Engineering Department.

Approved.

Purchase Order No. 06690 issued to cover this additonal work.

29. Street Engineering Department received offer from New Exteriors, Inc. to restore alley approach - first alley north of State Blvd. off Clinton for the amount of $370.00.

Approved.

Purchase Order No. 06691 issued to cover this project.

30. Re: Sewer Drainage Problem at 4140 and 4800 North Washington Road additional amount of $4,584.19 is required to complete project per the Street Engineering Department who request purchase order be issued to Wayne Asphalt & Construction Company. (Cost of project will be $8,334.19).

Approved.

Purchase order No. 06692 issued for additional work.

31. Received recommendation from Water Pollution Control Engineering Department for authorization of payment of Escrow to John Dehner, Inc. in the amount of $105,622.61 for Sewer Resolution No. 290-77 - North Maumee Interceptor, Section I. - Payment to be made by Lincoln National Bank & Trust Company.

Approved.

32. Received recommendation from the Water Pollution Control Engineering Department for authorization of payment of Escrow to John Dehner, Inc. in the amount of $22,262.28 for Sewer Resolution No. 290-77 - North Maumee Interceptor, Section II.- Payment to be made from Lincoln National Bank & Trust Company.

Approved.

Meeting adjourned at 10:45 a.m.

Edward W. Carman

Mary Jo Scott

BOARD OF PUBLIC WORKS

ATTEST: Ursula Miller

Secretary and Clerk

Wednesday, July 18, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M.G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

Received minutes of meetings held on Wednesday, July 11, 1979 at 9 a.m.; Thursday, July 12, 1979 at 3:30 p.m. and Monday, July 16, 1979 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

4536 S. Calhoun	Clarence Dull
727 Growth	Carl Worman
720 Osage	Elbrecht-Roussel
1317 Springbrook	A. D. Delagrange
1325 Springbrook	A. D. Delagrange
2205 Westbrook Dr.	Shroyer Concrete Const.

4. Received driveway applications: — Approved and permits issued.

2704 Mounded Ct.	Windsor Bldrs.
2710 Mounded Ct.	Windsor Bldrs.
2833 Ridgeway	Earl Baker

5. Received street cut applications: — Approved and permits issued.

Barthold S/High (prkstrp)	C.U.
Curdes & Anthony	"
Curdes E/Crescent	"
Curdes & West Drive	"
2211 Dale (prkstrp)	"
Dodge & Forest Pk	"
2941 Euclid (alley)	NIPSCO
3901 S. Harrison	"
Intersec. Hobson & Lake turning lanes	Rieth-Riley
2225 McKinnie	NIPSCO
4008 Meda Pass	C.U.
6617 Old Trail	"
634 Russell (prkstrp)	"
6010 St. Joe Rd.	NIPSCO
N/2910 Sandpoint on Willow Oak	"
509 W. Washington (prkstrp)	C.U.
515 W. Washington (prkstrp)	"
519 & 521 W. Washington (prkstrp)	C.U.
609 W. Washington (prkstrp)	"
2713 Waynedale	NIPSCO.
2603 Waynedale	C.U.
1231 Wells (alley)	R & A Plumb.

1323 Orlando (prkstrp)	---	NIPSCO
4535 Illinois	---	"
1336 E. Wayne (alley)	---	"
1703 Howell	---	"
906 Eliza	---	"
1030 Franklin	---	"
SE cor. Reed & Hurd Sts.	---	"
848 W. Creighton	---	"
2937 Holton	---	"
1150 Clay (prkstrp)	---	"
2725 Taylor	---	"
2100 Blk. W. State	---	"
1211 Elm	---	"
530 Fricke	---	"
1021 S. Harrison	---	"
Smith & Emily	---	"
3901 S. Harrison	---	"

6. RECEIVE BIDS:

Improvement Resolution No. 5838-79 for construction of sidewalk commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess Street and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north:

BROOKS CONST. CO. ----------No bid

L. W. DAILEY ---------- $48,124.30

HIPSKIND CONCRETE CORP. --- $24,195.85

RIETH-RILEY ---------- No bid

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 23, 1979 at 9:00 a.m.

7. RECEIVE BIDS:

Resurfacing Resolution No. 5845-79 for improving by resurfacing and restoring pavement as designated on following streets: ARLINGTON AVENUE, HARRISON STREET, INDIANA AVENUE, McKINNIE AVENUE AND HOAGLAND AVENUE: (5th Councilmanic District) CITY PAID.

BROOKS CONST. CO. ----------No bid

DAILEY ASPHALT CORP. -------- $159,533.00

HIPSKIND ASPHALT CORP. -------$161,106.25

MOELLERING CONST. CO. ------- $152,832.00

RIETH-RILEY CONST. CO. ------ $181,727.35

WAYNE ASPHALT CO. ---------- $198,705.50

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 23, 1979 at 9 a.m.

8. RECEIVE BIDS:

Improvement Resolution No. 5846-79 for improving by resurfacing and restoring pavement as designated on McKinnie Avenue from the east curb line of Hanna Street to the west curb line of Anthony Boulevard. (CITY PAID).

BROOKS CONST. CO. --------- $75,074.00

DAILEY ASPHALT CORP. ------ $70,308.00

HIPSKIND ASPHALT CORP.----- $71,199.50

MOELLERING CONST. CO.------ $67,373.00

RIETH-RILEY CONST. CO. ----- $79,975.00

WAYNE ASPHALT CORP. ------- $87,746.00

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 23, 1979 at 9 a.m.

9. RECEIVE BIDS:

Improvement Resolution No. 5847-79 for improving by resurfacing and restoring pavement as designated on the following streets: LILLIE STREET, WINTER STREET, OLIVER STREET, REED STREET AND QUEEN STREET: (6th Councilmanic District) CITY PAID.

BROOKS CONST. CO. ----------No bid

DAILEY ASPHALT CO. --------- $152,280.00

HIPSKIND ASPHALT CORP. ----- $151,578.50

MOELLERING CONST CO. ------- $146,040.00

RIETH-RILEY CONST. CO. ---- $171,509.00

WAYNE ASPHALT CONST. CO. -- $189,494.50

Referred to the Street Engineering Department for tabulation and report.

Award contract on Monday, July 23, 1979 at 9 a.m.

10. Received inspection report from the Water Engineering Department and Completion Affidavit of H. G. Kleeman Enterprises, Inc. with Maintenance Bond in the amount of $9,321.00 signed by Insurance Company for Water Contract 7811 - Shannonside Section I and a portion of Section II.

Approved.

Ordered acceptance letter written.

11. Received Invoice #1 (FINAL) of L. W. Dailey, Inc. in the amount $15,098.75 prepared and approved by the Street Engineering Department for Sidewalk Resolution No. 5793-77 for the construction of sidewalk on Spy Run Avenue on the west side - adjacent to the Historic Old Fort.

Approved.

Ordered paid from encumbered MVH #03616.

12. Received Invoice #1 (FINAL) of Dailey Asphalt Products Company in the amount of $96,774.30 prepared and approved by the Street Engineering Department for Resolution No. 5823-78 - Decatur Road.

Approved.

Ordered paid from Account 28-881-265.

13. Received invoice #2 of Rieth-Riley Const. Co., Inc. in the amount of $48,727.92 prepared and approved by the Street Engineering Department for Improvement Resolution No. 5821-78 Broadway Resurfacing (Creightong to Rudisill).

Approved and ordered paid from encumbered funds #03620.

14. Received invoice #3 of Rieth-Riley Construction Company in the amount of $38,940.75 prepared and approved by the Street Engineering Department for Improvement Resolution No. 5814-78 - LaRez Project, Phase I.

Approved and ordered Community Development and Planning to pay invoice.

15. Received Special Street prepared and approved by the Street Engineering Department for Crown Builders, Inc. to construct SLOCUM TRAIL: Slocum Place Section I - between Evard Road and Elsdale Drive.

Approved and Special Street permit issued.

16. NUNC PRO TUNC: 1972

Received Resolution from Indiana State Highway Commission dated January 27, 1972 whereby it abandons certain portions of the Right-of-Way adjacent to I-69 as follows:

Ordered the Street Engineering Department to have recorded.

A true copy is incorporated herein.

Item #1:

Relocated Industrial Road P.R. #4
From: The South R/W line of existing Washington Center Road Station 0 = 28 + P.R. #4.
To: Station 60 = 00 Line S-25-A, Except the original R/W thereof.
Length 0.22 mile

Item #2:

Access Road P.R. Line #9
From: An East-West R/W line extending from P.R. Line #3 (SR #3) at Station 86 = 00, 75 feet left to Station 86 = 50, 175 feet left, Northwesterly.
To: East - West Quarter section line through Station 88 = 23.7.
Length 0.051 mile

Item #3:

From: North property line of Elnora Drive, North along the East side of the West Line Ease 1/2, W 1/4, Section 13, T 31 N, R 12 E.
To: The North Property line of lot 57 (North Sherwood Terrace Addition)
Length 0.040 mile
TOTAL LENGTH 0.311 Mile

and Letter of acceptance by City of Fort Wayne.

17. Received a request from Street Department (Gerald NeU) 1701 S. Lafayette, for permission to barricade Barr Street - Main to Berry on Thursday, July 19, L979 from 7:00 a.m. to 4:00 p.m.
PURPOSE: Cleaning street of grease and dirt left by Festival vendors.

Approved and permit issued.

18. Received Invoice #11 of Spears-Dehner, Inc. in the amount of $117,617.14 approved by the Street Engineering Department covered by Resolution No. 5797-78 - JEFFERSON, MAUMEE, WASHINGTON PROJECT.

Approved and ordered $117,617.14 paid from LRS Account.

Also ordered $13,068.57 paid to Spears-Dehner, Inc. Escrow Account at Lincoln National Bank & Trust Company.

19. Received Agreement between City of Fort Wayne and Sewage Utilities of Indiana, Inc. providing for City of Fort Wayne to treat sewage from PIne Valley.

Approved. A true copy is incorporated herein.
Ordered sent to the Common Council on Tuesday, August 14, 1979 at 8:00 p.m.

Meeting adjourned at 10:50 a.m.

Edward W. Pen Man

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Thursday, July 19, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M.G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. HEARING ON CONFIRMATION:

Improvement Resolution No. 5842-79 for improving curbs, sidewalk and drive approaches along Edgehill Avenue, Westbrook Drive and Jacobs Avenue, more specifically identified as Lots 158 thru 189 in Brookview Addition.

Continued to Thursday, August 2, 1979 at 3:30 p.m.

Time up to receive remonstrance Monday, July 30, 1979 at 4:30 p.m.

2. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade Harmar Street from Washington to Wayne on Thursday and Friday, July 19 and 20, 1979 at all times.
PURPOSE: Cut signal lines.

Approved and permit issued.

3. Received recommendation of City Utilities' General Superintendent that agent of record, J. Herbert Bazur, CLU, be entitled to commissions payable by Lincoln Life as of March 1, 1975, in approximate amount of $3,896.
RE: GA 1037 DB - I & M Electric Co.
(CITY UTILITIES).

Approved. Authorized City Utilities' General Superintendent to approve payment.

4. Received Change Order No. 1 of Land Excavating, Inc. in the decreased amount of $14,302.00 prepared and approved by the Water Pollution Control Engineering Department for Sewer Resolution No. 305-78 - Tillman Park - Southtown Mall Sanitary Sewer.

Approved.

Meeting adjourned at 4:15 p.m.

Edward H. LaMar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, July 23, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

E. H. LaMar, M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permit issued.

1652 Circle Drive ----------Robt. Houser
1310 W. Foster Parkway ----------L. H. Kanning
935 Nuttman Ave. ----------A. C. C. Concrete

4. Received driveway applications: — Approved and permit issued.

4815 Executive Blvd - on Investment Dr. ---Irmscher & Sons
1417 Martin St. ---------- Wayne Asphalt & Const.
3202 S. Monroe ---------- Emil Holliday
1317 Springbrook Rd. ---------- A. D. Delagrange
1325 Springbrook Rd. ---------- A. D. Delagrange
2205 Westbrook Dr. ---------- Shroyer Const.
1310 W. Foster Parkway ---------- Leroy Kanning
1111 Wallace St. ---------- Gene Keller
1652 Circle -------R. Houser 3514 Raymond -------A.C.C. Concrete

5. Received street cut applications: — Approved and permit issued.

Beaver & Rudisill (prkstrp)	C.U. Water Maint.
Bradbury & Broadripple (prkstrp)	"
3602 S. Calhoun	"
W. side of Calhoun & Darrow	"
Carew & Hazelwood	"
2840 Darlene	Custom Sewer Serv.
S R/W Florence W/Sherman	Gen. Tel.
340 W. Hollis Lane (prkstrp)	C.U. Water Maint.
Jefferson from Harrison to Calhoun and Calhoun N/Jefferson	I & M. Elec.
Loch Lomand & Sherman (prkstrp)	C.U. Water Maint.
1017 McKinnie	"
1617-1621 Oakland	J & G Water & Serv.
243 E. Pontiac	"
4411 Virginia /Coliseum	C. U. Water Maint.
2905 Waynedale (prkstrp)	"
2907 Waynedale (prkstrp)	"
1321 Winter	J & G Water & Sewer
5304 Renfrew (prkstrp)	NIPSCO
817 Anderson	"
Ferguson & 6th	"
2205 Redwood	"
1408 Swinney	"
4024 S. Harrison	"
1345 Westover	"
810 Kinsmoor (alley)	"
2020 Redwood	"
3004 Hanna (alley)	"
2107 Cortland	"
425 Van Buren	"
748 W. Superior	"
3122 Robinwood	"
727 W. Third (prkstrp)	"
3001 Reed (alley)	"

6. AWARD CONTRACT:

Sidewalk Resolution No. 5838-79 for construction of sidewalk commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess and on the west side of Osage from the alley north of Boone Street for a distance of 925 feet north.
Recommendation received from the Street Engineering Department.

Award contract to Hipskind Concrete Corporation at and for their bid in the amount of $24,195.85 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

7. AWARD CONTRACT:

Resurfacing Resolution No. 5845-79 for improving by resurfacing and restoring pavement as designated in 5th Councilmanic District.
Recommendation received from the Street Engineering Department.

Award contract to Moellering Construction Company at and for their bid in the amount of $152,832.00 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

8. AWARD CONTRACT:

Resurfacing Resolution No. 5846-79 for resurfacing and restoring pavement as designated on McKinnie Avenue.
Recommendation received from the Street Engineering Department.

Award contract to Moellering Construction Company at and for their bid in the amount of $67,373.00 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

9. AWARD CONTRACT:

Resurfacing Resolution No. 5847-79 for resurfacing and restoring pavement as designated in 6th Councilmanic District. Recommendation received from the Street Engineering Department.

Award contract to Moellering Construction Company at and for their bid in the amount of $146,040.00 subject to councilmanic approval.

Ordered the Street Engineering Department to prepare contract.

10. Received Change Order No. 1 of Moellering Construction Company, Inc. in the amount of $1,887.96 prepared and approved by the Street Engineering Department covering Resurfacing Resolution No. 5819-78 on Ewing Street and Runnion Street.

Approved.

Ordered sent to the Common Council on Tuesday, August 14, 1979 at 8:00 p.m.

11. Received invoice #2 of Land Excavating, Inc. in the amount of $73,854.86 prepared and approved by the Water Pollution Control Engineering Department covering Sewer Resolution No. 305-78 - Tillman Park - Southtown Mall Lift Station Elimination Sanitary System.

Approved.

Ordered City Utilities to pay invoice from the Water Pollution Control Utility Fund.

12. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Bercot-Gibson Construction Company, Inc. with Guaranty Bond in the amount of $34,800 signed by Western Casualty and Surety Company for Sears-Kinnaird Lateral Sanitary Sewer.

Approved.

Ordered acceptance letter written.

13. Received Water Main Improvement Resolution No. 1016-79, final plans, specifications, estimate and property ownership list prepared by the Water Engineering Department for installation of water main in and along Sharon Drive from an existing six (6) inch water main on Sharon Drive North to Ludwig Road; then on Ludwig Road from Sharon Drive East to an existing twelve (12) inch water main on Ludwig Road at Rodenbeck Drive.

Approved and adopted. A true copy is incorporated herein.

Advertise Notice to Property Owners, July 27, 1979 and August 3, 1979.

Hearing on Confirmation, Thursday, August 16, 1979 at 3:30 p.m.

Mail notices on August 3, 1979.

14. Received invoice of Clyde E. Williams & Associates, Inc. in the amount of $3,420.00 as Environmental Assessment for Ardmore Hillegas Corridor Environmental. Allen County Commissionesrs are to pay the amount of $1,710.00 per item #2 per Agreement dated January 16, 1978 pertaining to this project.

Approved.

Ordered Allen County Commissioners be notified to pay amount of $1,710.00 per agreement.

15. Pursuant to report from the City Utilities Auditing Department listing unpaid Revenue Miscellaneous Accounts write-offs as per list submitted:

Water Accounts --------- $3,899.26
Sewer Accounts --------- $2,871.54

Approved.

16. Received a request of Mrs. Hinkle, 2114 Kensington, for permission to barricade Kensington Blvd. from Forest to State Street on August 12, 1979, Sunday, (rain date: August 19, 1979) from 12:00 Noon to 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

17. Received a request from Ike Merriweather, 713 Woodview, for permission to barricade from the McKee Street Church (1201 McKee) to Holton Avenue on Saturday, August 21, 1979, from 10:00 a.m. to 10:00 p.m.
PURPOSE: Street carnival.

Approved and permit issued.

Meeting adjourned at 10:35 a.m.

Henry P. Wehrenberg

Edward W. Lamar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Wednesday, July 25, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar, M. G Scott
Ursula Miller

Received minutes of meetings held on July 18, 1979 at 9 a.m.; July 19, 1979 at 3:30 p.m. and July 23, 1979 at 9:00 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications:

Approved and permit issued.

3506 N. Clinton ----------Carrington & Assoc.
901 Cottage ----------Carrington & Assoc.
N/W & S/W Cor. Cottage & Indiana-- Carrington & Assoc.
S/E cor. Fairhill & Emerson -------Carrington & Assoc.
2438 & 2440 Hoagland ----------Carrington & Assoc.
1416 Pemberton ----------J. Berequist
2812 Plaza ----------Carrington & Assoc.
(4) cor. Rosemont & N. Highlands---Carrington & Assoc.
S/W cor. Runnion & High ----------Carrington & Assoc.
Taylor & Thompson ----------Carrington & Assoc.

4. Received driveway applications:

Approved and permit issued.

4538 - 4536 Calhoun ----------Clarence Dull
1207 N. Harrison St. ----------Schenkel & Sons
2325 Indian Village Blvd. ------Gary Houser

5. Received street cut applications:

Approved and permit issued.

3001 N. Anthony ----------		C.U. Water Maint.
6805 Bluffton (prkstrp)	-	"
6511 Bluffton (prkstrp)	-	"
3615 Bowser (alley)	-	NIPSCO
(alley) S/o Brackenridge and bet. Webster & McClellan	-	"
7204 Bradbury	-	"
2828 Broadripple	-	"
2019 Brooklyn (prkstrp)	-	C.U. Water Maint.
1309 Clara	-	NIPSCO
3215 Clermont	-	"
5404 Distribution Dr.	-	M.E.P. Corp.
2531 Dodge	-	NIPSCO
2118 Dodge	-	"
1424 Dodge	-	"
E. side of Duncan Rd. & Corwin Lane	-	"
7100 Elzey	-	"
4024 S. Harrison	-	"
434 E. Hawthorne	-	"
2429 Hillock Ct.	-	"

5705 Lancashire Ct.	- NIPSCO
5619 Larchwood	- "
824 E. Lewis (alley)	- "
2817 L. Huntington Rd.	- "
McKinnie & Smith	- C.U. Water Maint.
McKinnie W. at S. Park	- "
123 W. Main (alley)	- NIPSCO
7015 Markwood	- "
928 Morrow Way	- "
3701 Reed (alley)	- "
3209 Rodgers (prkstrp)	- C.U. Water Maint.
918 W. Rudisill (parkstrp)	- "
1210 W. Rudisill	- "
3553 St. Joe Center Rd.	- NIPSCO
Intersec. St. Joe Center & Campus Ct.	- Gen. Tele of Ind.
3326 E. State	- T & G Excav.
2330 Spring (sdw.).	- NIPSCO
1446 Springbrook	- "
1903 Sprunger	- C.U. Water Maint
Spy Run & E. State (sdw.)	- "
Tennessee, E. at Spy Run	- "
1026 N. Washington Rd.	- NIPSCO
1035 E. Paulding	- "
1909 Prince	- "
1225 Vance	- "
804, 810, 816, 822, 819 and 835 Villa Pk. Ct.	- "
Villa Pk. Ct. for 643'	- "
801 and 803, and 828 - 830 Villa Park Court	- "
2604 E. Washington	- "
1345 Westover	- "
912 Wilson DR.	- "
3421 Cederquist Cr. (prkstrp)	- "
902 Reed Rd.	- "
2020 Brookside	- "
1116 S. Anthony	- "
1201 S. Anthony	- "
Intersec. Pettit & Plaza	- "
3002 Hanna/Colerick)	- "
4329 S. Lafayette (alley)	- "

6. Received inspection report and Primary Assessment Roll prepared by the Street Lighting Engineering Department for Street Lighting Resolution No. 132-78 for installation of ornamental street lighting system with underground wiring on Devonshire Drive from Maple Grove Avenue to Ashcroft Drive.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment August 3 and 10, 1979.

Hearing on Confirmation of Assessment Roll Thursday, August 23, 1979 at 3:30 p.m.

Notices to be mailed August 10, 1979.

7. Received inspection report and Primary Assessment Roll prepared by the Street Lighting Engineering Department for Street Lighting Resolution No. 134-78 for installation of ornamental street lighting system with underground wiring in the Victoria Park Addition.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise Notice of Assessment August 3 and 10, 1979.

Hearing on Confirmation of Assessment Roll Thursday, August 23, 1979 at 3:30 p.m.

Notices to be mailed August 10, 1979.

8. Received Wage Agreement between the City of Fort Wayne and the International Union of Operating Engineers, Local #19 (FILTRATION PLANT) for the years 1979 - 1980.	Approved. On file in the Board of Public Works.
9. Received Sewer Improvement Resolution No. 307-79, final plans, specifications and estimate prepared by the Water Pollution Control Engineering Department for the construction of sanitary sewers to extend sewage collection service to Greendale Addition, part of Gerke's Trier Road Addition, part of Exner's Addition, which from its size and character is intended not only to be used by property owners whose property abuts along the line of said sewer, but also for future extension. SEWER: RANCHWOOD, Phase I - Sanitary Sewer. The total cost of said sewer shall be paid by the City out of sewer utility funds. These monies will be recouped through tap-in fees at the time benefitted property owners make a physical connection to the sanitary sewer. Complete property ownership list is prepared of benefitted properties.	Approved and adopted. A true copy is incorporate herein. Advertise Notice to Contractors, August 3 and August 10, 1979. Receive bids on Wednesday, August 15, 1979 at 9:00 a.m. Ordered the Water Pollution Control Engineering Department to prepare bid documents.
10. Received Sewer Easement Resolution No. 168-79, final plans, specifications and property ownership list prepared by the Water Pollution Control Engineering Department for the condemnation of permanent and temporary easement for the purpose to construct a sewer line along and across a portion of the Northeast Quarter, Section 29, Township 31 North, Range 13 East and Northwest Quarter Section 29, Township 31 North, Range 13 East; bounded on the South by Trier Road; bounded on the East by the East right of way line of Elwood Drive; bounded on the West by Wyandotte Drive; bounded on the North by a line 195.00 feet North of North right of way line of North Drive. (SEWER RESOLUTION NO. 307-79).	Approved and adopted. A true copy is incorporated herein. Advertise Notice to Property Owners, August 3 and August 10, 1979. Hearing on Confirmation Thursday, August 23, 1979 at 3:30 p.m. Mail notices August 10, 1979.
11. Received Special Sewer Permit for Macke Development Corporation prepared and approved by the Water Pollution Control Engineering Department and Maintenance Bond in the amount of $5,487.50 of John Hartman Construction Company signed by State Automobile Mutual Insurance Company to construct sanitary sewer known as Pine Valley Country Club, 12th Addition Sanitary Sewer.	Approved and Special Sewer Permit issued. Board Order No. 79-79.
12. Received a petition for the installation of new sidewalks on Nuttman Street from South Wayne Street to Fairfield Avenue.	Approved. Ordered the Street Engineering Department to investigate and report. Board Order No. 100-79.
13. Received a petition for the installation of new curbing on Nuttman Street from South Wayne Avenue to Indiana Avenue.	Approved. Ordered the Street Engineering Department to investigate and report. Board Order No. 99-79.

14. EMERGENCY RESOLUTION NO. 67-251-14

WHEREAS, the State of Indiana is in the process of resurfacing Clinton-Lafayette Streets State Highway Project #RS-12026; and

WHEREAS, the valve boxes and manhole covers require immediate adjusting and Water Maintenance Department's workload precludes them from performing said work; and

WHEREAS, Wayne Asphalt, Moellering Construction, Brooks Construction and Rieth-Riley were requested to make bids and only Rieth-Riley was able to perform said work:

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to perform said work and hereby approves Purchase Order No. 001211 to Rieth-Riley in amount of $9,210, which was the amount of their bid.

Approved this 25th day of July, 1979.

15. EMERGENCY RESOLUTION NO. 67-251-15

WHEREAS, Heat is required for proper operation of the digesters at the Water Pollution Control Plant; and

WHEREAS, the hot water heating boiler in the digester building requires immediate repair; and

WHEREAS, Power Plant Service Company and Alton Boiler Company, the only two firms in Fort Wayne known to be qualified to perform said repairs, were requested to submit bids and Power Plant Services submitted a bid of $5,000.

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to make said repairs and orders the City Utilities' General Superintendent to requisition a Purchase Order to Power Plant Service Company in the amount of $5,000.

Approved this 25th day of July, 1979.

Meeting adjourned at 11:30 a.m.

Henry P. Wehrenberg

Estal W. LaMar

Mary J. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Clerk

Thursday, July 26, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H. P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

Received Minutes of Meetings held on
July 25, 1979 at 9:00 a.m. and
July 26, 1979 at 3:30 p.m.

1. Received License Agreement and proofs of publication from Beacon Heights Church of the Brethren, Inc. for use of unopened portion of Curdes Avenue east of Beacon Street for off-street parking.

Approved.

2. Received a request from East Wayne Street Center, (Mary Coombs) 801 E. Wayne Street, for permission to barricade Francis Street from Wayne to Berry on Thursday, August 2, 1979 from 9:30 a.m. to 4:00 p.m.
PURPOSE: Recreational event.

Approved and permit issued.

3. Received a request from Nancy Kaczmarczyk, 1023 Maxine Drive , for permission to barricade Maxine from Indiana to Beaver on Friday, August 3, 1979 from 4:30 p.m. to 10:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

4. Received a request from Creighton Neighborhood Association (Sally Aid) 845 W. Creighton, for permission to barricade Meyer Avenue from Fairfield to South Wayne (also one at Beechwood Circle) on Saturday, August 25, 1979 from 10:00 a.m. till 6:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

5. Received a request from True Love Baptist Church (Sandra Jones) 1010 E. Pontiac, for permission to hold a parade on Satuday, August 4, 1979 from 11:00 a.m. till 12:00 p.m.
Parade participants: 100 persons and 50 to 60 cars. Route to be traveled: starting at 715 E. Wallace to Hanna to Lewis to Anthony to Rudisill to Hanna and ending at 1010 E. Pontiac (church).
PURPOSE: Celebration of new church.

Approved and permit issued.

6. Received a request from Williams Woodland Neighborhood Association (Mrs. Robert Kimes) 321 W. Suttenfield for permission to barricade 300 block of West Suttenfield from Webster to Hoagland on Saturday, August 25, 1979 from 4:00 p.m. to 9:00 p.m.
PURPOSE: Block party.

Approved and permit issued.

Meeting adjourned at 4:00 p.m.

Henry P. Wehrenberg

Edward W. Pamar

Mary G. Scott

BOARD OF PUBLIC WORKS

ATTEST:

Ursula Miller

Secretary and Clerk

Monday, July 30, 1979

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

H. P. WEHRENBERG, E. H. LAMAR, M. G SCOTT
Ursula Miller, Secretary and Clerk

H.P. Wehrenberg, E. H. LaMar,
M. G Scott
Ursula Miller

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications: — Approved and permits issued.

220 E. Douglas ----------Schinnerer & Truemper
1911 Lynn ----------P.J. & A.J. Weber
541 W. Packard ----------B. V. Ebtino

4. Received driveway applications: — Approved and permits issued,

210 E. Jefferson ----------Arthur Tilbury
541 W. Packard ----------B.V. Ebetino

5. Received street cut applications: — Approved and permits issued.

6616 Bradbury	--- Nipsco
Calhoun S/ Pettit	--- C.U. Water Maint
703 W. DeWald (prkstrp)	--- "
3801 Eastway Dr.	--- NIPSCO
917 Edgewater (alley)	--- "
1322 Gay	--- C.U. Water Maint.
Indianapolis Rd. 45' N/o Dalman Rd.	--- Bercot & Gibson
2225 L. Huntington Rd.	--- NIPSCO
1509 W. Ludwig	--- "
305 McKinnie (alley)	--- "
124 W. Main	--- "
7111 Old Trail Rd.	--- "
2317 Ontario	--- "
6306 Old Trail Rd.	--- "
1604 Patomac Ct.	--- "
2610 Pennsylvania	--- C.U. Water Maint.
3406 Plaza (alley)	--- NIPSCO
1903 Sprunger	--- "
3108 Stepping Stone Lane	--- "
4522 Virginia	--- "
1211 E. Wallace	--- "
Warren /2301 Pennsylvania	--- "
Alleys - bet. Washington & Jefferson-Calhoun and Harrison	--- "
629 E. Washington	--- C.U. Water Maint.
1314 Oneida	--- NIPSCO
2834 Darlene	--- "
2108 Morris	--- "
1215 Orlando	--- "

6. Received Dedication, Protective Restrictions, Covenants, Limitations, Easements and Approvals appended to as part of the Dedication and Plat of Seneca Hills, Section III submitted and approved by the City Plan Commission.	Approved.
7. Received Dedication, Protective Restrictions, Covenants, Limitations, asements and approvals appended to as part or the Dedication and Plat of Breconshire, Section I.	Approved.
8. Received contract, guaranty and liability bonds of L. W. Dailey, Inc. in the amount of $663,204.65 prepared by the Street Engineering Department signed by St. Paul Fire & Marine Insurance Company for Improvement Resolution No. 5833-79 for improving Main Street from Maiden Lane east to Calhoun Street. (CITY PAID).	Approved. Ordered sent to the Common Council on Tuesday, August 14, 1979 at 8:00 p.m.
9. Received contract, guaranty and liability bonds of Brooks Construction Company in the amount of $143,024.00 prepared by the Street Engineering Department signed by American States Insurance Company for Resurfacing Resolution NO. 5840-79 for resurfacing and restoring pavement of streets located in the Second Councilmanic District.	Approved. Ordered sent to the Common Council on Tuesday, August 14, 1979 at 8:00 p.m.
10. Received contract, guaranty and liability bonds of Brooks Construction ompany in the amount of $193,732.50 prepared by the Street Engineering Department signed by American States Insurance Company for Resurfacing Resolution No. 5841-79 for resurfacing and restoring pavement of streets located in the First Councilmanic District.	Approved. Ordered sent to the Common Council on Tuesday, August 14, 1979 at 8:00 p.m.
11. Received Water Contract No. 7905 prepared and approved by the Water Engineering Department between A. D. Delagrange Construction, Inc. and the Fort Wayne Water Utility for the construction of water main system to serve SHOAFF PARK RIVER ESTATES, SECTION "C" on Dichotomy Court.	Approved. Ordered sent to Water Engineering Department for handling.
12. Received inspection report from the Water Engineering Department and Maintenance Bond of North Eastern Construction Company, Inc. in the amount of $2,628.13 signed by American States Insurance Company for Water Contract No. 7901 - Newfield Water Main, Section II.	Approved. Ordered acceptance letter written.
13. Received notification from the Water Pollution Control Engineer that the Indiana Stream Pollution Control Board is requiring that a Public Hearing be held for the Master Sewer Systems Facility Plan for the St. Joseph's Area - C-180599-01.	Approved. Advertise Notice of Public Hearing on August 7, 1979 and September 7, 1979. Public Hearing on Thursday, September 27, 1979 at 7:00 p.m.
14. In accordance with Section VII (A (2) of Cable Television Ordinance G-27-77, Fort Wayne Cablevision submitted progress map showing Market Ready Area I is active.	Approved.

15. Received Special Street Permit prepared by the Street Engineering Department for Riverside Properties, Inc. to construct the following streets in WOODLANDS OF RIVERSIDE:

    (a) River Run Trail
    (b) River Run Court
    (c) Inland Trail
    (d) Stonecreek Trail
    (e) Rapidsway
    (f) Bedrock Court
    (g) Clearwater Lane
    (h) Channel Court
    (i) Channel Place
    (j) Whitewater Pass
    (k) Whitewater Court
    (l) Basin Court
    (m) Cove Court

Approved and special street permits issued.

16. Received invoice No. 70-10-210-01-11 of McNamee Porter and Seeley, Consulting Engineers, in the amount of $11,443.67 approved by the General Superintendent of City Utilities for General Engineering and Resident Engineering for water works improvements in accordance with Contract between the City and the Engineers dated December 7, 1970 and Amendment No. 1 dated March 30, 1977.

Approved. Ordered City Utilities to pay invoice.

Payment should be made from the Water Utility Fund.

17. Received plat of Nasera Park submitted and approved by the City Plan Commission.

Approved.

18. Received a request from Bercot, Inc., 3838 Mobile Avenue, for permission to barricade Indianapolis Road 300 feet north of Baer Field Expressway to MacArthru Drive on July 31, 1979 and August 1, 1979 from 6:00 a.m. to 4:00 p.m.
PURPOSE: Install sanitary sewer for Baer Field Park, Inc.

Approved and permit issued.

Meeting adjourned at 10:45 a.m.

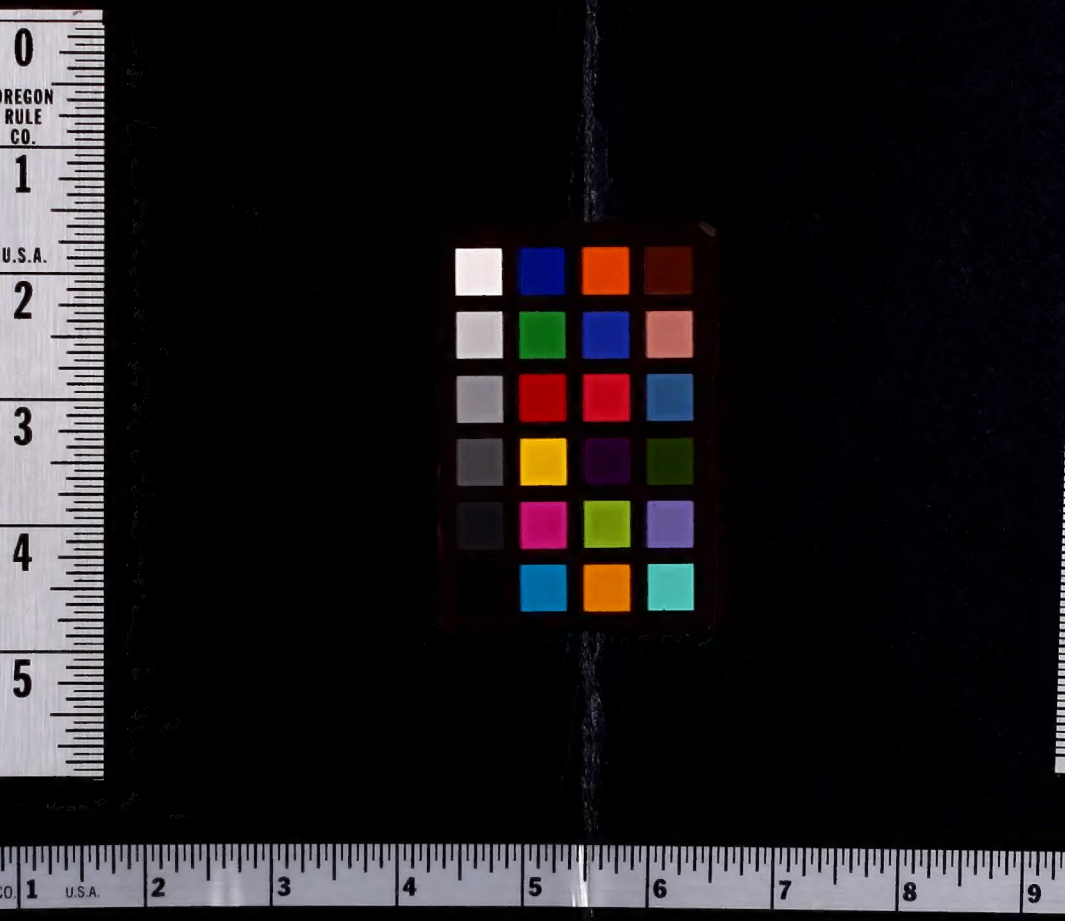
Henry L. Klinenberg

Edward V. LaMar

Mary G. Scott
BOARD OF PUBLIC WORKS

ATTEST:
Ursula Miller
Clerk

McMillan trussell
SYRACUSE, N.Y.
G 89297
MADE IN U.S.A.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